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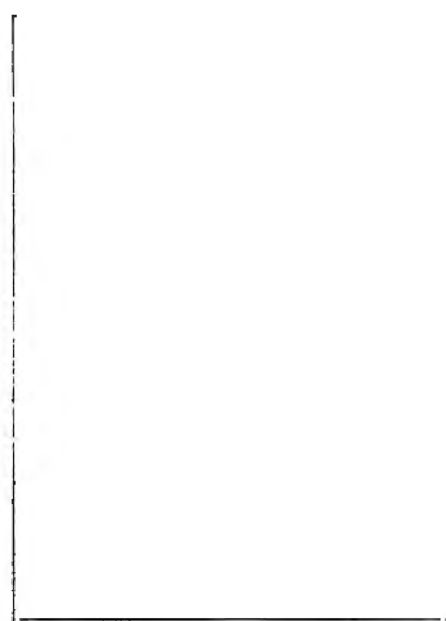
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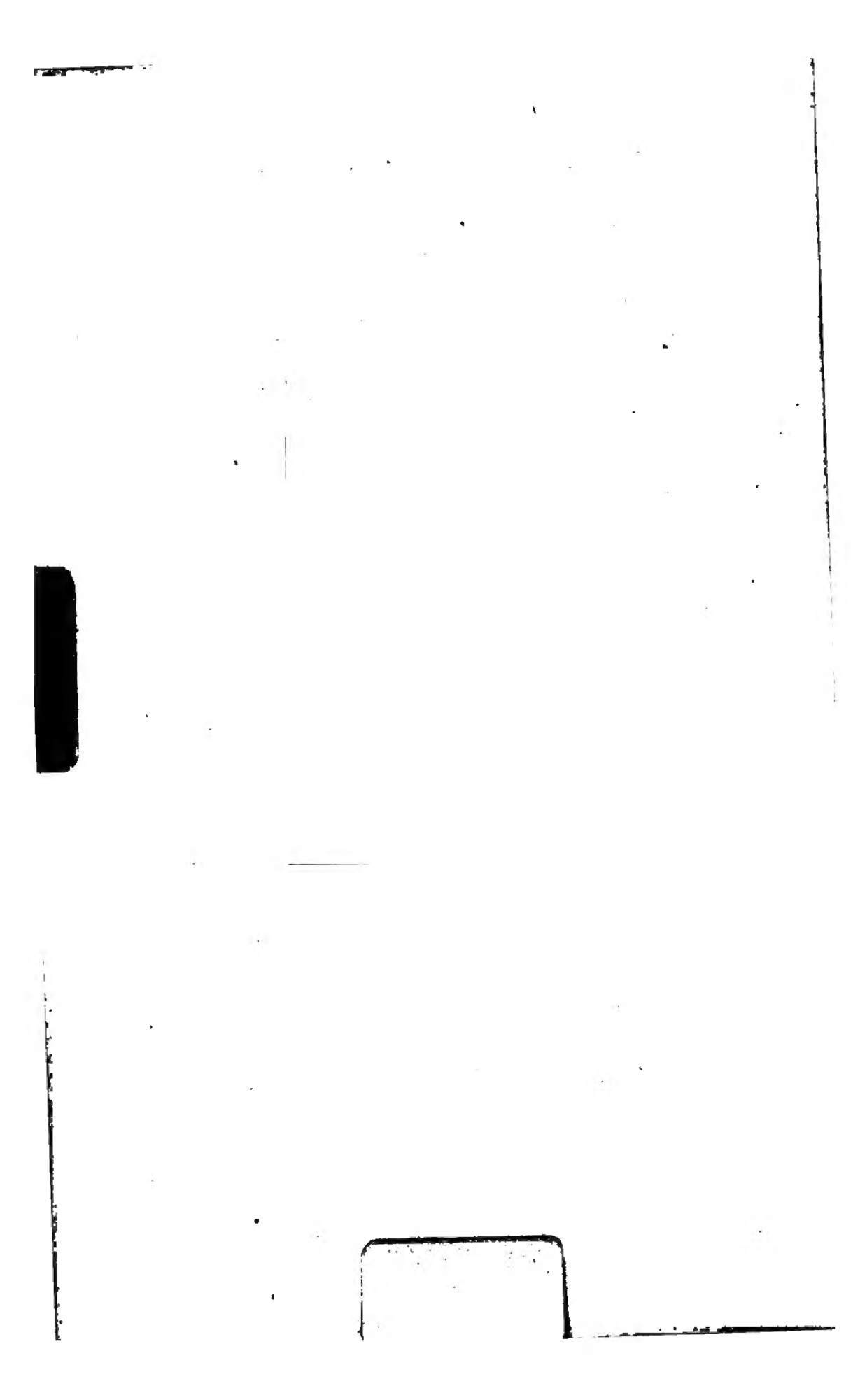
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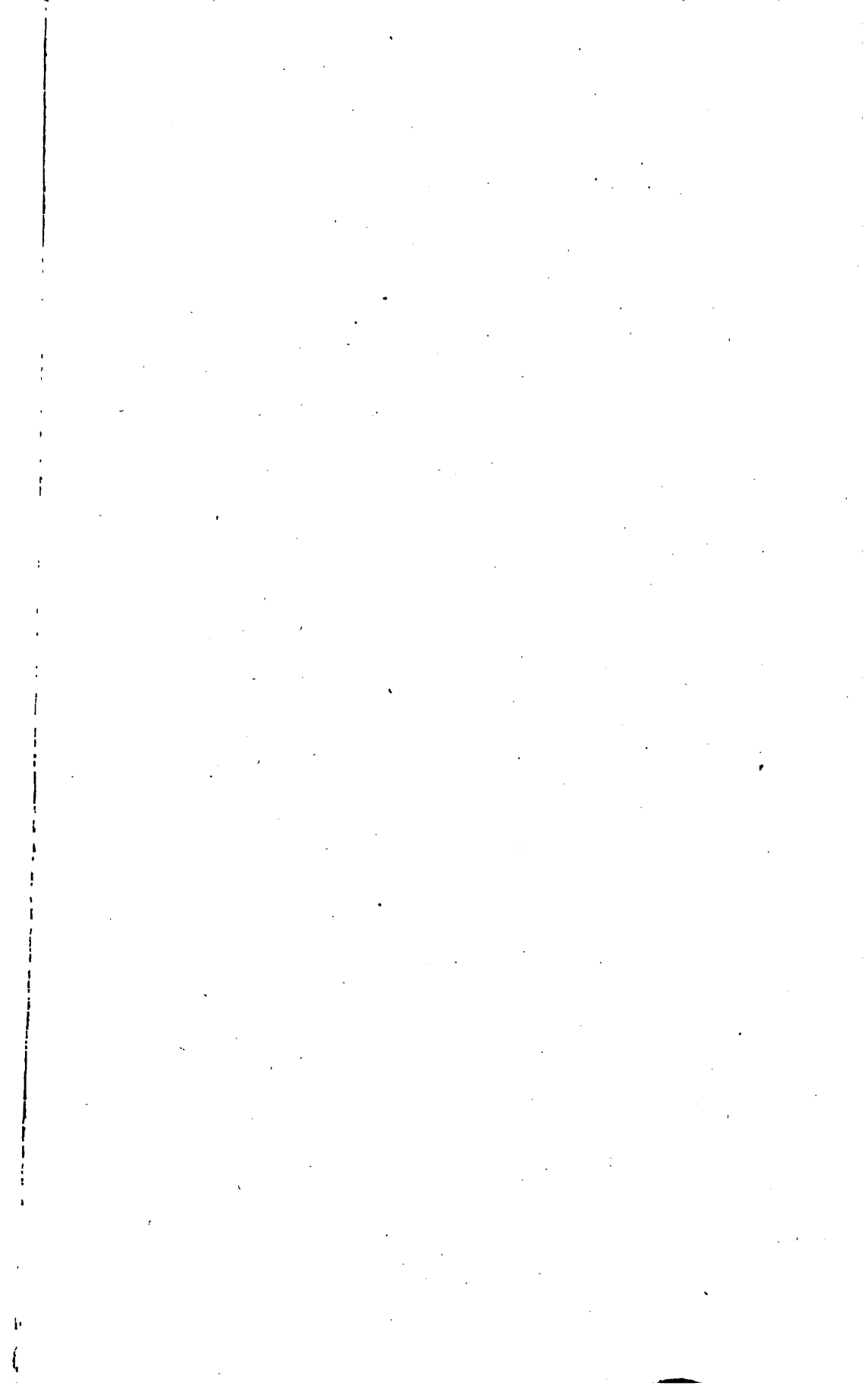


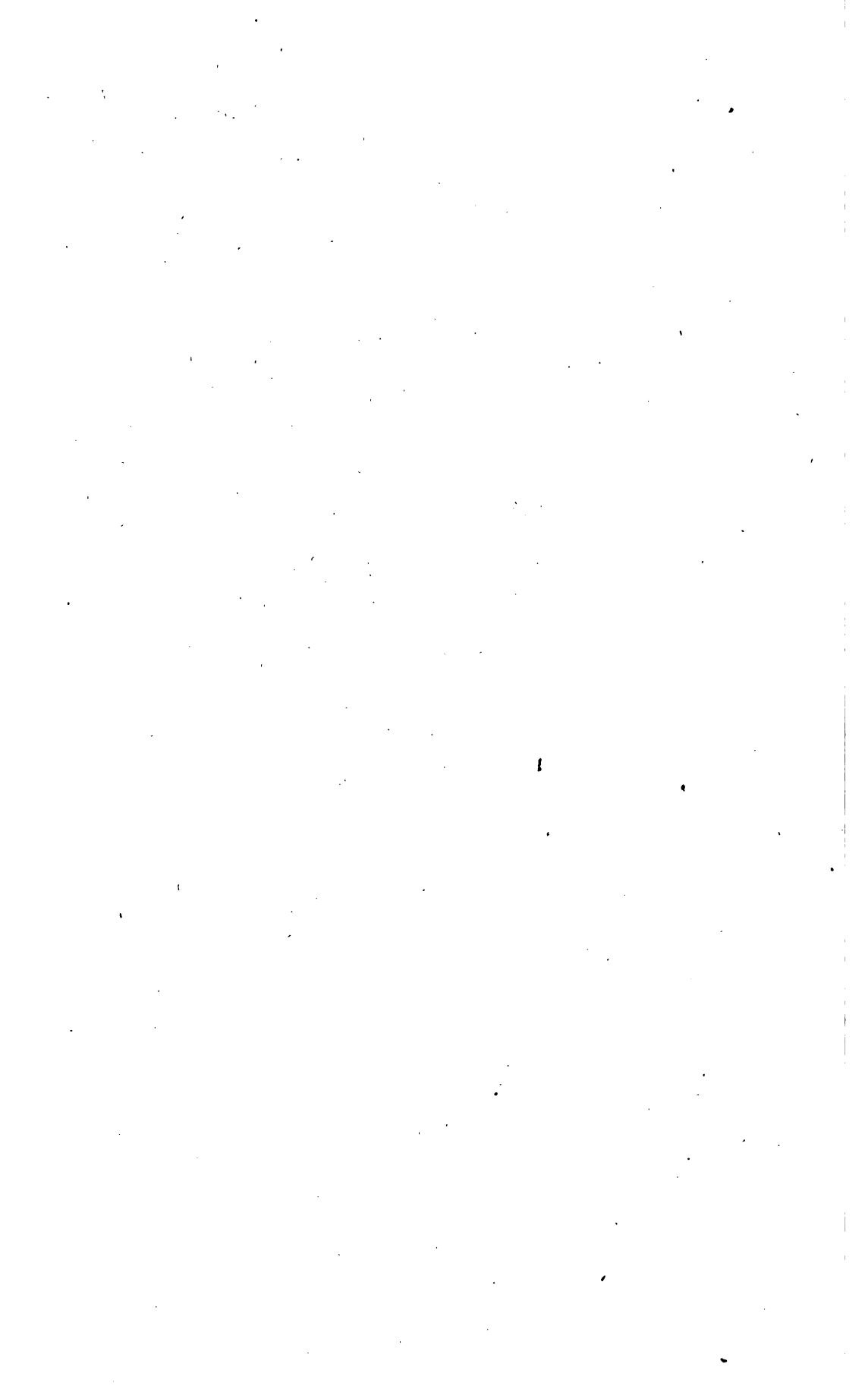
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# HANSARD'S PARLIAMENTARY DEBATES,

THIRD SERIES:

537

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

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53 & 54 VICTORIÆ, 1890.

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VOL. CCCXLIV.

COMPRISING THE PERIOD FROM

THE SECOND DAY OF MAY, 1890,

TO

THE THIRD DAY OF JUNE, 1890.

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*Fourth Volume of the Session.*

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THE HANSARD PUBLISHING UNION, LIMITED,

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UNDER CONTRACT WITH H.M. GOVERNMENT.

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1890.



# Chronology of Hansard's Debates.

The **PARLIAMENTARY HISTORY** contains all that can be collected of the Legislative History of this country from the Conquest to the close of the XVIIIth Century (1803), 36 vols. The chief sources whence these Debates are derived are the Constitutional History, 24 vols.; Sir Simonds D'Ewes' Journal; Debates of the Commons in 1620 and 1621; Chandler and Timberland's Debates, 22 vols.; Grey's Debates of the Commons, from 1667 to 1694, 10 vols.; Almon's Debates, 24 vols.; Debrett's Debates, 63 vols.; The Hardwicke Papers; Debates in Parliament by Dr. Johnson, &c., &c.

The **PARLIAMENTARY DEBATES** commence with the year 1803, and the contents are set forth in the following Chronological Table:—

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— 14,, 15..7 — 1826					

**ERRATUM.**

*May* 9. Mr. MAHONY, page 604, lines 41 and 42, should read "vious years,  
and therefore will not all be available this year."

# HANSARD'S PARLIAMENTARY DEBATES.

IN THE

FIFTH SESSION OF THE TWENTY-FOURTH PARLIAMENT OF THE  
UNITED KINGDOM OF GREAT BRITAIN AND IRELAND,  
APPOINTED TO MEET 5 AUGUST, 1886, IN THE FIFTIETH  
YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

46 FOURTH VOLUME OF SESSION 1890.

HOUSE OF LORDS,

Friday, 2nd May, 1890.

## COMMISSION.

The following Bill received the Royal Assent:—

1. South Indian Railway Purchase.

## BUSINESS OF THE GRAND COMMITTEES.

\*THE SECRETARY OF STATE FOR INDIA (Viscount Cross): My Lords, there were three Bills which passed the Second Reading here not very long ago in which many of your Lordships take an interest—the Industrial Schools Bill, the Reformatory Schools Bill, and the Juvenile Offenders' Bill. I think it might be convenient if the noble and learned Lord, who is Chairman of the Standing Grand Committee on Law, to which those Bills were referred, can state to the House

when he thinks that Committee will be able to take those Bills into consideration.

LORD HERSCHELL: My Lords, at the last meeting of the Committee the Open Spaces Bill still remained uncompleted, several clauses having to be considered. The Bill of my noble and learned Friend on the Woolsack also has to be considered, and the labours are yet incomplete of the sub-Committee on the Partnership Bill, which is still in progress. Inasmuch as those measures stand in front of these three Bills, it would probably be more convenient that they should not be commenced until Tuesday week.

\*VISCOUNT CROSS: I understand that some noble Lords have Amendments to move upon these Bills. I think I must make an appeal to those noble Lords who wish to move Amendments that they will place them as soon as possible on the Paper, so that the Home Office officials may have time to consider them before they come on for discussion in Committee.

VOL. CCCXLIV. [THIRD SERIES.]

B

COMMISSIONERS FOR OATHS ACT (1889)  
AMENDMENT BILL—(No. 63.)

SECOND READING.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR: My Lords, it will be in the recollection of your Lordships that the noble and learned Lord thought it right to postpone the discussion on the Second Reading of this Bill until to-day. If the object and operation of the Bill is simply to preserve existing rights further postponement would be unnecessary; but should there be any great encroachment in point of jurisdiction I should desire to have an opportunity of alleging reasons why your Lordships should not assent.

LORD HERSCHELL: My Lords, I will, of course, at once accede to the request of my noble and learned Friend, and I will fix the Second Reading for Thursday next.

Second Reading put off to Thursday next.

PROTECTION OF CHILDREN BILL.

A Bill for the better protection of children—Was presented by the Lord Chaworth (*E. Meath*); read 1<sup>a</sup>; to be printed; and to be read 2<sup>a</sup> on Thursday next. (No. 68.)

COMMITTEE OF SELECTION FOR  
STANDING COMMITTEE.

Report from, That the Committee have added the Lord Leigh and the Lord De Ramsey to the Standing Committee for Bills relating to Law, &c., for the consideration of the Industrial Schools Bill, Reformatory Schools Bill, Juvenile Offenders Bill.

Read, and ordered to lie on the Table.

House adjourned at twenty minutes  
before Five o'clock, to Monday  
next, a quarter before  
Eleven o'clock.

HOUSE OF COMMONS,

*Friday, 2nd May, 1890.*

The House met at Two of the clock.

H.M.S. *ICARUS*.

MR. BRADLAUGH (Northampton): I beg to ask the First Lord of the Admiralty whether he can state the number of desertions from H.M.S. *Icarus* since she has been under Commander Annesley, and the number of punishments inflicted on members of the crew; and whether any complaints have reached him as to the discipline on board the vessel, and what course, if any, the Admiralty will take in the matter?

\*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): Commander Annesley was appointed to the *Icarus* on July 6, 1886. The total number of desertions between July 1, 1886, and September 30, 1889, was 28. During the same period the total number of summary punishments awarded was 619, and there have been three court-martial cases. No complaints as to the discipline on board have been received at the Admiralty, but I shall be quite ready to look into any facts that the hon. Gentleman may have in his possession.

\*MR. BRADLAUGH: May I ask whether the noble Lord has seen the statement in the *Western Morning News*, asserting that since June, 1888, the punishments have been greatly in excess of any former period, and that the complaint is not limited to the men, but includes some of the officers as well. Under these circumstances, will the noble Lord have an inquiry made, as I understand the vessel is about to arrive at Plymouth?

\*LORD G. HAMILTON: I do not attach much importance to newspaper reports, but if the hon. Member will place me in possession of his information, I shall feel it my duty to have an inquiry made.

\*MR. BRADLAUGH: I will submit to the noble Lord the substance of some of the statements which have reached me, and which, I think, warrant the questions I have put.

## CRACKED SOVEREIGNS.

MR. DILLWYN (Swansea Town): I beg to ask the Chancellor of the Exchequer if he will take steps to call in cracked sovereigns, which are of frequent occurrence, and, not being readily passed in currency, occasion serious inconvenience to those, especially of the working-classes, who may have received them in payment of wages?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Cracked sovereigns and half-sovereigns, if not below the legal weight, and cracked silver coins of all denominations, are accepted and exchanged at the Bank of England and its branches. It would be impossible to call in such coins, and I am informed that they can hardly be said to be of frequent occurrence.

MR. DILLWYN: Would it be possible to provide that change should be given at the Post Office, as great inconvenience occasionally occurs to poor people who are paid their wages on Saturday night, and find that they cannot get their money?

MR. GOSCHEN: I do not see how any inconvenience or difficulty can arise, because persons who accept these coins will know that they can get them changed at the bankers.

## THE CRIMINAL PROCEDURE (SCOTLAND) ACT.

MR. BRADLAUGH: I beg to ask the Lord Advocate whether his attention has been drawn to the account, in the *Journal of Jurisprudence* for April, of a trial in the High Court of Justiciary, in Edinburgh, of persons charged with theft, from which it appears that, before the jury had considered and delivered their verdict, reference was made to previous convictions against the prisoners; whether such reference to previous convictions was in express violation of Section 67 of "The Criminal Procedure (Scotland) Act, 1887"; and if the Government will, under the circumstances, recommend any alteration or remission of the sentences?

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I find that the proceedings to which the question relates form the subject of a Petition for release of the persons convicted, which is at

present before the Secretary for Scotland. The hon. Gentleman will, therefore, not expect me to answer the question.

## KEW GARDENS.

SIR JOHN ELLIS (Surrey, Kingston): I beg to ask the First Commissioner of Works whether the labourers and constables in Kew Gardens are paid at the same rate of wages as in the London Parks, under the control of Her Majesty's Office of Works; and, if not, whether he will state the amount of the difference in the rate of wages respectively, and on what grounds the difference is made, the duties being analogous; whether a gatekeeper, after being in the service 34 years, has been recently dismissed at the age of 72, with a gratuity of £34 without pension; and whether, being still capable of lighter work, he could be retained on the staff at reduced wages?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, University of Dublin): In the London Parks, labourers are paid from 21s. to 24s. per week. At Kew they are paid from 18s. to 20s. per week. The difference is in proportion to the rates of wages which obtain generally in London and the suburbs respectively. J. Lywood, a gatekeeper, has recently been retired, at the age of 70, after 29 years' service, with a gratuity of £34. Under the Act of 1887, this is the maximum compensation that could be given to him. I am afraid there is no other work in which he could be employed.

## FAIR RENTS.

MR. WILLIAM CORBET (Wicklow, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, so far back as November 1887, Daniel Kearney, of Coolegad, County Wicklow, served an originating notice on his landlord to have a fair rent fixed, and that the case has not since been heard, Kearney having to pay the full rent all the time; and whether anything can be done to accelerate the movements of the Sub-Commissioners?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Land Commissioners report that an originating notice was received at their office in the case



mentioned on 31st January, 1888. The case will be listed for hearing in its turn. Every effort is being made to dispose of the cases now outstanding.

In reply to Mr. FLYNN (Cork, N.),

Mr. A. J. BALFOUR said: The amount of arrears in the Land Court are being diminished.

Mr. T. M. HEALY (Longford, N.): How is it that the proceedings in connection with the Court should be confined to Ulster, and why should one province of Ireland have a preference over any other?

Mr. A. J. BALFOUR: I am not aware that such is the fact, but if the hon. and learned Member will put a question on the Paper, I will make inquiry.

Mr. M. HEALY (Cork): Is it not the fact that in the County of Cork that sometimes when the tenant has succeeded in getting a fair rent fixed he has found that in consequence of the delay in hearing the case he has had to pay rent two years in advance?

Mr. A. J. BALFOUR: I have no information on the subject.

#### HOLYHEAD HARBOUR.

Mr. LEWIS (Anglesey): I beg to ask the President of the Board of Trade whether an estimate was made by Sir John Hawkshaw, or other person, for removing the Platters Rocks inside Holyhead Harbour; and, if so, what was the estimated costs of removing them down to 25 feet below low water mark and down to 20 feet; whether there has been a new survey of the Platters lately made, and whether, with the improved machinery now in use, they could be removed down to 25 feet at so much less cost than the estimate made by Sir John Hawkshaw; and whether the Department has in its possession a plan of the Platters Rocks; and, if so, whether there would be any objection to produce it?

\*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): In 1888, Sir, John Hawkshaw estimated the cost of removing the Platters Rocks in Holyhead Harbour down to 26 feet below low water at £250,000, and down to 20 feet below low water at £70,000. In December last Mr. Hayter, who has been connected for many years with the

*Mr. A. J. Balfour*

harbour, and is thoroughly conversant with the latest improvements in engineering machinery, carefully examined the question, but gave me no ground for believing that removal to the depths mentioned in the hon. Member's question would be less expensive than the sums mentioned by Sir John Hawkshaw. I am considering whether a partial removal to a less depth may not give practically all the advantages which the class of vessels which now use the Harbour of Refuge can desire. Plans and sections were prepared for the purpose of making the Estimates to which I have alluded, but they are not in a form which could well be produced to Parliament, except at a large expense.

#### ARMENIA.

Mr. FRANCIS STEVENSON (Suffolk, Eye): I beg to ask the Under Secretary of State for Foreign Affairs when it may be expected that the hitherto unpublished Papers relating to the condition of things in Armenia from 1881 to 1889 will be presented to Parliament?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The Papers in question are not in print and are voluminous. Their publication would not be of any public advantage. Those lately presented appear sufficiently to describe recent events, and to show the attitude of Her Majesty's Government in regard to them.

Mr. F. STEVENSON: Is it the intention of the right hon. Gentleman to present any Papers relating to the state of Armenia between 1881 and 1889?

\*Sir J. FERGUSSON: No, Sir.

#### LUNACY AND THE INSUFFICIENT ASYLUM ACCOMMODATION.

Mr. WILLIAM CORBET: I beg to ask the Secretary of State for the Home Department if he is aware that the numbers of registered lunatics in Great Britain and Ireland have increased from 55,525 in 1862 to 111,979 in 1889; whether he has observed from the Reports of the Lunacy Commissioners that, notwithstanding the great increase of asylum accommodation annually provided for a long series of years, a large amount of additional accommodation is urgently required; has he any evidence to show that drink contributes

a large annual percentage to the number of lunatics; and will the Government take into consideration the adoption of some means of dealing with the subject?

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT** (Mr. MATTHEWS, Birmingham, E.): I am not in possession of the exact figures for Ireland, but the numbers of registered lunatics in England and Wales were—January 1, 1862, 41,129; January 1, 1889, 84,340. I am informed by the Lunacy Commissioners that extra accommodation is required in some counties, but in many others it is sufficient to supply probable future requirements for some years to come. The Table 34 of the 43rd Report of the Lunacy Commissioners shows that in the cases of 18,290 out of 136,478 persons admitted into institutions for the insane, intemperance in drink was stated to have been the cause, or one of the causes, of insanity. The Government will always be ready to consider any suggestions for dealing with this subject.

#### GALLANTRY AT SEA.

**MR. GILES** (Southampton): I beg to ask the President of the Board of Trade whether he will consider the desirability of awarding to Mr. Barker, the third officer of the steamship *Colonist*, a better reward than a bronze medal for rescuing the master and crew of the bark *Hebe*, when the captain of the steamship *Erus* received a piece of plate, and the third officer a gold medal for attempting and failing to do what Mr. Barker and his boat's crew so gallantly effected at the imminent risk of their lives?

\***SIR M. HICKS BEACH**: Mr. W. H. Parker (not Barker), the third officer of the steamship *Colonist*, was awarded the bronze medal of the Board of Trade for gallantry in connection with the rescue of the crew of the *Hebe*, consistently with the practice of the Board of Trade when dealing with exceptional cases of rescue of a British crew by a British vessel. The rewards granted to the officers of the North German Lloyd's Steamship *Ems* (not *Erus*) were, consistently with the practice of the Board when recognising the services rendered to British seamen by foreigners, of a different character. The medal awarded to the third officer was a Foreign Office gold medal, not the Board of Trade gallantry medal.

#### THE NEW CODE.

**SIR JOHN COLOMB** (Tower Hamlets, Bow, &c.): I beg to ask the Vice President of the Committee of Council on Education whether the Instructions to Inspectors are in any way intended to curtail the liberty of classification which is granted by the New Code; and, if not, whether he will consider the expediency of issuing some authoritative explanation of the paragraphs in the Instructions which are held by many teachers to be restrictive in their character?

**THE VICE PRESIDENT OF THE COUNCIL** (Sir W. HART DYKE, Kent, Dartford): Nothing in the Instructions is intended to restrict absolute liberty of classification. It is not anticipated that teachers will find it expedient in the interest of their scholars to use this liberty to excess; but Her Majesty's Inspectors will be instructed not to interfere with any classification that does not impair the efficiency of the school, nor retard the due progress of the scholars as a whole.

#### THE ACCIDENT AT THE CARLISLE STATION.

**MR. J. E. ELLIS** (Nottingham, Rushcliffe): I beg to ask the President of the Board of Trade when he expects to lay upon the Table the Report of the Board of Trade Inspector respecting the fatal railway accident outside Carlisle Station during March last?

\***SIR M. HICKS BEACH**: I am sorry that there should have been any delay in this matter. I expect that the Papers will be laid on the Table in the course of next week.

#### EXCISE LICENCES.

**MR. AGG-GARDNER** (Cheltenham): I beg to ask the Chancellor of the Exchequer whether Clause 9 of the Customs and Inland Revenue Bill is intended to prohibit any person to whom an Excise licence is granted from carrying on the trade or business mentioned in the licence in various premises, or whether a person will be permitted to conduct a business in more than one set of premises provided he takes out a licence for each set?

**MR. GOSCHEN**: The clause is not intended to prohibit a person from carrying on an Excise trade in various

premises. It merely requires a licence to be taken out for each set of premises in which such a trade is carried on.

#### MANCHESTER ASSIZES.

**SIR WILLIAM HOULDSWORTH** (Manchester, N.W.): I beg to ask the Secretary of State for the Home Department if he is aware that no notice of the opening of the Assizes on the 3rd of May was sent down to Manchester till the 25th of last month, thus leaving only eight days' interval during which the suitors could give notice of entering causes for trial, whereas 10 full days notice is required by law, the consequence being that only two causes, which happened to have been set down previously, will stand for trial next Saturday; and whether it is in his power to take any steps to prevent a recurrence of the grave inconvenience experienced by suitors on this occasion?

**MR. MATTHEWS:** I have communicated this question of my hon. Friend to the Lord Chancellor, who is now making an inquiry into the matter.

#### POST OFFICE—OFFICERS OF THE SECOND DIVISION.

**MR. ARTHUR WILLIAMS** (Glamorgan, S.): I beg to ask the Postmaster General whether he can state why he recently declined to receive a deputation of second class officers of the Savings Bank Department (Major Establishment of the General Post Office) on the subject of their re-classification with the "Second Division" of the Service, although he personally received a deputation of telegraphists on a recent occasion; and whether the same classification will be applied to the Secretary's Office, Accountant General's Office, and Money Order Office, as is to be applied to the second class of the Savings Bank?

**THE POSTMASTER GENERAL** (**MR. RAIKES**, University of Cambridge): In reply to the hon. Member, I intimated to the officers to whom he refers my reason for not receiving the deputation. That reason was that, having made myself acquainted with all the facts of the case, and having come to a final decision, which, in my opinion, is a just and proper one, I have no intention of departing from that decision. The case differed entirely from that of the telegraphists, with regard to most of whose

*Mr. Goschen*

requests I have not yet arrived at a decision. As regards the last part of the question, I will, when the interests of the Service permit, give the hon. Member the information he asks for.

**MR. A. WILLIAMS:** Is it the fact that a Memorial has already been presented signed by 71 of the members of the Accountant General's Office, asking the right hon. Gentleman to consider the grievances of the clerks in this matter?

**\*MR. RAIKES:** I am not quite sure. I believe there has been some communication, but I will ascertain.

**MR. A. WILLIAMS:** Is it not the fact that these Civil servants are under the impression that their case has not been sufficiently made known, together with their objections to the new scheme. Would it not be better, under the circumstance, for the right hon. Gentleman to allow a deputation to see him in order to explain their position?

**\*MR. RAIKES:** I am always glad to receive a deputation if such a course would facilitate a decision; but when a decision has been arrived at, there is very little use in receiving a deputation. I believe that the scheme which has been determined upon is more favourable than any other that has been suggested.

**MR. A. WILLIAMS:** Would it not tend to remove a misconception which prevails in their minds if the right hon. Gentleman would receive a deputation and explain matters?

**\*MR. RAIKES:** I am always anxious to receive and to give information.

#### CHELSEA SAVINGS BANK.

**MR. HOWELL** (Bethnal Green, N.E.): I beg to ask the Chancellor of the Exchequer whether he is aware that the limits of £30 in one year, and the maximum limit of £200, prescribed by law for deposits in Trustee Savings Banks were habitually violated at the Chelsea Savings Bank, and that, by the advice or connivance of the officials of that bank, some depositors opened four or five accounts; whether any report upon this subject has been received by the official liquidator; and whether any claim has been preferred by the National Debt Commissioners against the trustees and managers for interest obtained from them on such illegal accounts?

**MR. GOSCHEN:** There is no doubt that excessive deposits have, in many

cases, been permitted, and that there have been grave irregularities. Connivance (whether active or passive I cannot say) on the part of some of the officials there must have been. I have not seen any report to the official liquidator upon this subject. No claim has yet been preferred by the National Debt Commissioners, as they have not as yet official information on this point, but the matter will not be lost sight of.

#### LABOUR IN PORTUGAL.

**MR. CUNINGHAME GRAHAM** (Lanark, N.W.): I beg to ask the Under Secretary of State for Foreign Affairs if Her Majesty's Government has any official confirmation of the report in the newspapers that the Portuguese Government has introduced the eight hours' day into all its State workshops, arsenals, &c.?

**\*SIR J. FERGUSSON**: No, Sir; but at the Berlin Labour Conference the Portuguese Delegates stated that a day of eight hours' work is guaranteed to the labourers in the State tobacco factories, about half of whom are females.

#### THE ELEMENTARY EDUCATION BILL.

**MR. FRANCIS POWELL** (Wigan): I beg to ask the First Lord of the Treasury whether he will favourably consider the insertion into the Elementary Education Bill, which the Government have undertaken to introduce during the next Session of Parliament, of provisions prepared with a view to relieve the managers of public elementary schools from the hardships which many now suffer, from the pressure of the 17s. 6d. limit and from their liability to the payment of rates?

**\*THE FIRST LORD OF THE TREASURY** (Mr. W. H. SMITH, Strand, Westminster): My hon. Friend has referred in his question to the Elementary Education Bill which the Government have undertaken to introduce next Session, and he has asked me to give him certain specific engagements as to the provisions of that Bill. I must remind my hon. Friend that the Government have announced that in the scheme of assisted education which will be embodied in their measure they intend to provide that voluntary schools shall be enabled to take the part they have hitherto filled in meeting the necessities of elementary

education in England. They cannot this Session state the specific provisions of the Bill they hope to introduce, and I trust my hon. Friend will be satisfied with the general assurance I have now given him.

#### THE LENGTH OF THE SESSION.

**MR. HERBERT KNATCHBULL-HUGESSEN** (Kent, Faversham): I beg to ask the First Lord of the Treasury whether the Government have come to any decision as to the best means of securing the rising of the House of Commons at an earlier period of the year than has been the case in recent years?

**\*MR. W. H. SMITH**: I am sorry to say that the Government have not yet been able to come to any decision as to the best means of securing this most desirable object. I am afraid the subject is more difficult than the hon. Member supposes.

**MR. H. KNATCHBULL-HUGESSEN**: I shall return to this subject after Whitsuntide.

#### EMPLOYERS' LIABILITY BILL.

**MR. DONALD CRAWFORD** (Lanark, N.E.): I beg to ask the First Lord of the Treasury if he can say on what day the Second Reading of the Employers' Liability Bill will be taken?

**\*MR. W. H. SMITH**: I am not yet in a position to name a day.

**MR. D. CRAWFORD**: Will it be taken next week?

**\*MR. W. H. SMITH**: I am afraid not.

**MR. FENWICK** (Northumberland, Wansbeck): Considering the importance of the Bill, and the interest taken in it by the working classes, will the right hon. Gentleman undertake that the Bill will be brought on at a time when it will receive adequate discussion?

**\*MR. W. H. SMITH**: Undoubtedly it will be my duty to do so.

#### POSTMASTERS' PAY.

**MR. PATRICK O'BRIEN** (Monaghan, N.): I beg to ask the Postmaster General whether the difficulty in classifying and placing on scales of pay, with annual increments, the general body of Postmasters has now been got over; and,

if so, when will the new arrangement come into operation?

\*MR. RAIKES: No, Sir; the objections to the arrangements suggested by the hon. Member remain the same. The system of paying salaries with a regular increment according to scale does not appear to be properly applicable to appointments such as Postmasterships, the duties attached to which are liable to increase or decrease with the growth or diminution of local business, or owing to changes in the Postal Service. Under the present system the remuneration can be adjusted fairly and accurately in accordance with the increase or decrease of work, so that if the business grows less, or remains stationary, the salary need not be raised. Under the scale system the Department might be paying a Postmaster an increasing salary for decreasing or stationary work. The present method is the most advantageous to Postmasters who, on their appointments, at once receive the maximum salary which the amount of business will then justify.

#### IRISH JURORS.

DR. FOX (King's Co., Tullamore): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the fact that, on the trial of Jeremiah Davoren, at the late Tullamore Assizes, no less than 70 jurors were ordered by the Crown to stand aside, including all the Town Commissioners and the Chairman of that body, with all the elected Poor Law Guardians and the Chairman of that body; and whether he will take some steps to save these jurors from this grave inconvenience, expense, and insult?

MR. A. J. BALFOUR: I am informed that at the trial mentioned the Crown exercised its right to order jurors to stand aside, and that the defence also exercised its right of challenging jurors from serving. I have no information as to the avocations of the jurors so ordered to stand aside or so challenged. Under the existing Jury Laws all persons liable to serve as jurors are bound to attend, notwithstanding the fact that but a small proportion of their number can actually be required to serve. This is of the essence of those laws, and must continue so long as those laws exist.

*Mr. Patrick O'Brien*

#### IRISH PIERS AND HARBOURS.

MR. WILLIAM CORBET: I beg to ask the Secretary to the Treasury whether he will give the Return down on the Paper relating to the construction, cost, and condition of piers and harbours in Ireland?

THE SECRETARY TO THE TREASURY (MR. JACKSON, Leeds, N.): The hon. Member will find full particulars in a Paper which has already been laid upon the Table.

#### GREYSTONES HARBOUR.

MR. WILLIAM CORBET: I beg to ask the Secretary to the Treasury if he has received a resolution, passed at a meeting of the inhabitants and fishermen of Greystones, calling his attention to the fact that the harbour just completed at that place is already nearly filled up with shingle, asking to have a north groyne constructed to prevent further mischief, and that the present accumulations may be dredged out; and whether the Government intend to take any steps to make the harbour accessible?

MR. JACKSON: Yes, Sir; I have received the resolution to which the hon. Member refers, and the subject is receiving attention. The decision must depend upon how the available surplus is to be disposed of; but the Irish Government are considering the matter.

MR. CLANCY: Is there any surplus from this fund?

MR. T. M. HEALY: Or has it to be taken from the fund provided by the Land Purchase Bill?

MR. JACKSON: It is hardly necessary to answer the last question. There is, or rather will be, a surplus available from the Sea Fisheries Fund when some loans are repaid which extend over a period of time. Not very much has been paid at present.

#### MR. GEORGE SANDES.

MR. CLANCY (Dublin Co., N): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether an inquiry has been ordered by the Government into the charges recently made in this House against Mr. George Sandes, J.P., Listowel, County Kerry; and, if so, where the inquiry is to be held, by whom it is to be made, and whether it is to be open to the public?

**MR. A. J. BALFOUR:** The Executive Government have no power to order an inquiry in the case in question. The Magistracy are under the jurisdiction of the Lord Chancellor of Ireland, who, as I have already stated in this House, has been in correspondence with the gentleman mentioned. As this question appears on this morning's Paper without previous notice, time has not admitted of my ascertaining how the matter at present stands.

**MR. E. HARRINGTON (Kerry, W.):** Has the right hon. Gentleman put himself in communication with the Lord Chancellor and conveyed to him the accusations which have been made in this House? I understand that there is an investigation going on.

**MR. A. J. BALFOUR:** I apprehend that the Lord Chancellor is fully acquainted with all that takes place in this House.

**MR. E. HARRINGTON:** Will the right hon. Gentleman consider it worth while to remind the Lord Chancellor of the affidavits which have been filed in this case? Is there any chance of a thorough investigation taking place?

**MR. A. J. BALFOUR:** I have not the least doubt that the Lord Chancellor will order any inquiry that may be necessary.

**MR. T. M. HEALY:** Why should it take two months before the Lord Chancellor thinks fit to take action? That has not been the course pursued in reference to charges against Members of the Nationalist Party.

**MR. A. J. BALFOUR:** The hon. and learned Member seems to think that the more serious the accusation the more easily it can be disposed of. That is not the case.

**JOHN DALY.**

**MR. MAURICE HEALY:** I beg to ask the Secretary of State for the Home Department when the Report on the prison treatment of John Daly will be distributed to Members?

**MR. MATTHEWS:** I hope that the Report will be in the hands of Members next week. It has been in the hands of the printers since the 26th ult.

**THE TEA DUTIES—A CORRECTION.**

**\*MR. GOSCHEN:** I regret to have to inform the House that a serious mistake

was made in the computations of the price of tea per lb. purchased in the East End of London and given by me to the House in the Debate on the Budget Resolutions. The tea was bought, as I explained, in halfpenny-worths, but the analyst who examined the tea and made the computations of the cost per lb. understood the officer who handed him the samples to say that they were penny packages, not halfpenny packages, and accordingly the cost came out double what it ought to have been. The calculations ought to have been checked before they were sent in to me; but they were hurriedly made on the morning when the samples were received, so as to be ready for me to have them at the House by 2 o'clock. I can only say that both the Customs House officers and myself are extremely sorry that such a mistake should have occurred.

#### BUSINESS OF THE HOUSE.

**SIR WILLIAM HARCOURT (Derby):** May I ask what will be the order of business for next week; and whether, as the Government propose to take the Budget Resolutions first, the Tithe Bill is likely to be reached?

**\*MR. W. H. SMITH:** The Budget Resolutions will be taken next week, and the Tithe Bill will follow after the Budget has been disposed of.

**MR. BRYCE (Aberdeen, S.):** Is it intended to proceed with the Budget Resolutions day by day?

**MR. H. H. FOWLER (Wolverhampton, E.):** Are the Committee stage of the Budget Resolutions and the Committee stage of the Licensing Bill to be both taken before the Tithes Bill?

**MR. W. H. SMITH:** It is intended to proceed with the Budget Bill from Sitting to Sitting, and to take both the Second Reading and the Committee stage and also the same stages of the Local Taxation Bill before taking up the Tithe Bill.

#### THE ALLOTMENTS BILL— PROCEDURE.

**SIR W. HARCOURT:** I rise for the purpose of submitting to you, Sir, a question upon which I am sure the House will desire your guidance. Upon the Allotments Bill there are various Instructions to be moved, and upon the first Instruction the right hon. Gentle-

man the President of the Local Government Board has an Amendment in a form which is quite new to the practice of the House. The acceptance of that Amendment by the House clearly would amount to a declaration that upon this Bill there should be no Instruction. It is, in fact, a new form of Parliamentary Closure. If it were to be adopted, it would in effect establish a closure by a side wind without any discussion in this House. It is quite plain also that it would shut out, as it is intended to shut out, from debate all the subsequent Instructions which appear on the Paper. I say nothing in regard to this particular Bill, but it may well be in other instances that the first Instruction is not the most important when proposed to be moved, and, therefore, any hon. Member by moving a trivial Instruction might enable a Government commanding a majority to prevent practically any Bill they may introduce from being enlarged beyond the scope of the original Bill. Without imputing any bad motive, I quite understand the circumstances which have disposed the right hon. Gentleman to meditate this closure. There are a great number of Instructions on the Bill, and anybody who has been for a number of years in this Assembly will be aware that when you endeavour to shut out discussion in one form it is likely to arise in another, and no doubt the restriction on Debates in Committee has led to the great multiplicity of Instructions. In regard to these Instructions, I wish to point out that the last of them stands in the name of my right hon. Friend the Member for Bradford (Mr. Shaw Lefevre), who proposes to incorporate with the Bill the clauses of the Allotments Act Amendment Bill. I wish to know from Mr. Speaker whether it is in accordance with the practice of this House, and the spirit of its discussions, that forms of amendment should be used which would absolutely preclude the bringing on of subsequent Instructions. I put the question subject to the express opinion that there ought to be only a moderate use made of the right of moving Instructions.

\*MR. SPEAKER: The House is indebted to the right hon. Gentleman for having called attention to this matter. No doubt the Amendment standing in the name of the right hon.

*Sir W. Harcourt*

Gentleman the President of the Local Government Board is not out of order. It resembles the Motion familiar to the House that the House do pass to the Orders of the Day, by which the House disembarrasses itself of matter which it does not wish to pass judgment on, and proceeds to its appointed business. The Motion, I acknowledge, is *prima facie* to be regarded with some suspicion as a form of closure, but, on the other hand, I must call the attention of the House to the fact that there are a great number of Instructions on the Paper, more than one, I think, being in the name of the same hon. Member. This is the first Session, I think, that this practice has been extensively adopted, and there are two other Bills in regard to which notices of a still larger number of Instructions have been given. In my opinion, the House ought to take notice of this. The new rule that the Speaker should leave the chair without question being put would obviously be somewhat modified, if not robbed altogether of force, if a great number of Instructions are put down so as to prevent the Speaker from leaving the Chair—Instructions which, in the case before us, might occupy the House for several Sittings; and if one hon. Member is to be entitled to put down more than one Instruction in his name it gives him a greater right of speaking than he has on the Second Reading of the Bill itself. I only wish to put the matter as fairly as I can in both aspects, because there are inconveniences on both sides. I quite admit that the Motion standing in the name of the right hon. Gentleman would, if carried, exclude every Instruction on the Paper, some of them of importance, which the House might very properly wish to discuss. I imagine the right hon. Gentleman put down his Motion as a protest against the growing abuse of the rights of hon. Gentlemen. I am not for a moment imputing any blame to any individual hon. Member, but the collective result of all these Instructions is practically to defeat the meaning and spirit of the Standing Order. I would much rather this matter were arranged by compromise than that it should come before me to decide as a point of order. The Instruction standing in the name of



the Member for the Rugby Division (Mr. Cobb) is in order; but other Instructions in the names of the Members for the Ashburton Division (Mr. Seale-Hayne), the Eye Division (Mr. F. Stevenson), the Lichfield Division (Sir J. Swinburne), and Bradford (Mr. Shaw Lefevre) are mandatory, and therefore out of order, or otherwise irregular.

**MR. SHAW LEFEVRE** (Bradford, Central): Perhaps I may be allowed to explain that I did not put down the Instruction which stands in my name in the belief that it was in any way out of order; but I thought it was necessary, if possible, to include some of the provisions of another and a very important measure.

**\*MR. W. H. SMITH:** The Government had no option, as it appeared to them, but to meet what was obviously, from their point of view, an endeavour to smother the Bill. [*Cries of "No!"*] Well, I will say a new effort by which the further progress of the Bill would be impeded. But I should be exceedingly glad to meet the suggestion which has been thrown out by the Chair and to endeavour to arrive at some understanding which would facilitate the progress of the measure. If hon. Members would proceed with the first Instruction which is ruled to be in order we could arrive, in the course of an afternoon, at an understanding by which the Speaker would be able to leave the Chair and the House go into Committee. We should then be in a position to make progress with the Bill, and it would not be necessary for my right hon. Friend to move the Amendment of which he has given notice. Her Majesty's Government are bound to retain in their hands the power to press forward a measure which they deem to be necessary when it is met by proposals which are altogether unprecedented, and the effect of which undoubtedly would be practically to smother the measure.

**MR. T. M. HEALY:** If the attempt of the President of the Local Government Board to choke off opposition is successful will it not still be open to hon. Members to move Amendments in Committee?

**MR. E. ROBERTSON** (Dundee): I would submit as a point of order that the Amendment which the President of the Local Government Board proposes

to move is not a regular Amendment at all. The right hon. Gentleman proposes an Amendment, as I understand, by which the House declines to widen the scope of the Bill; and I would ask whether such an Amendment is regular?

**\*MR. SPEAKER:** In past times it was an old-established practice to move that the House should pass to the other Orders of the Day.

**\*MR. SEALE-HAYNE** (Devon, Ashburton): Reference has been made to the fact that there are two Motions on the Paper in my name. Perhaps I may be allowed to explain that after I had given notice of an Instruction in the regular way, the right hon. Gentleman gave notice of his Motion declining to extend the scope of the Bill; and the further Motion which appears in my name has reference to the right hon. Gentleman's proposal.

**\*MR. SPEAKER:** As I understand the hon. Member's Amendment to the Amendment of the President of the Local Government Board, it is to make an exception in favour of his own Instruction; but I have already pointed out that the Instruction itself is out of order. It is impossible, therefore, to move an Amendment with a view of bringing in an Instruction which is out of order.

#### LOCAL TAXATION BILL.

**MR. BUCHANAN** (Edinburgh, W.): Do I understand that the Government propose on Monday next to take the Second Reading of the Local Taxation Bill?

**\*MR. W. H. SMITH:** I hope it will be possible to do so immediately after the Customs and Inland Revenue Bill.

**MR. BUCHANAN:** Will it be put down immediately after the Customs and Inland Revenue Bill?

**\*MR. W. H. SMITH:** Yes.

**MR. T. M. HEALY:** I think that the course the Government are about to adopt in the matter amounts to a breach of faith, inasmuch as the Bill does not apply to Ireland. In England and Scotland the Local Authorities will be allowed to suspend licences, and why should fresh licences be created in Ireland? My object is to prevent new licences being created in Ireland.

**\*MR. W. H. SMITH:** That is a fair question for Committee.

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The money will accumulate, and cannot be used for any other purpose.

MR. T. W. RUSSELL (Tyrone, S.): May I ask whether the Chancellor of the Exchequer did not distinctly say that the Bill would apply to Ireland?

\*MR. W. H. SMITH: I cannot say what the Chancellor of the Exchequer said.

MR. T. W. RUSSELL: Then I beg to give notice that I shall oppose the Second Reading of the Bill unless it is made to apply to Ireland.

MR. A. J. BALFOUR, who had been temporarily absent, said: I understand that some question has been raised in my absence with regard to the extension of the provisions of the Licensing Bill to Ireland. Not having, as yet, County Councils in Ireland, it is not possible to apply the whole of the English machinery of the Licensing Bill to Ireland, but I have no objection to the principle of the suspension of licences being extended to Ireland. I will consider that point in conjunction with my right hon. Friend the President of the Local Government Board.

MR. T. M. HEALY: If I bring in a Bill for the purpose of suspending licences in Ireland, I presume that I should receive the support of Her Majesty's Government?

MR. T. W. RUSSELL: When Mr. Bruce, in 1871, introduced a Bill for the suspension of licences the Bill covered the whole of the three Kingdoms. Why, then, should Ireland be excluded from the present Bill?

MR. A. J. BALFOUR: I have already stated that, at present, Ireland has not got the local machinery.

MR. CHANCE: We are told that the money is to accumulate. Is it to accumulate at interest, and who is to get the benefit?

\*MR. GOSCHEN: It will be in the hands of the National Debt Commissioners, who will allow an interest of  $2\frac{1}{2}$  per cent. upon it.

#### MENAI BRIDGE.

Order [22nd April] for Return relative thereto read, and discharged; and, instead thereof,—

Return ordered—

"Of copy of the Report, dated the 20th day of November 1886, by Mr. Baker (now Sir Benjamin Baker, K.C.M.G.) on the condition of the Menai Bridge."—(*Captain Verney.*)

#### STATUTE LAW REVISION BILL

[LORDS].—(No. 179.)

Order [18th March] that Five be the quorum of the Select Committee on the Statute Law Revision Bill [Lords] read, and discharged.

Ordered, That three be the quorum of the Committee.—(*Mr. Solicitor General.*)

#### NEW WRIT.

For Borough of Bristol (Eastern Division), *v.* Handel Cossham, esquire, deceased.—(*Mr. Arnold Morley.*)

#### ROYAL ASSENT.

Message to attend the Lords Commissioners;—

The House went;—and being returned;—

Mr. Speaker reported the Royal Assent to,—

1.—South Indian Railway Purchase Act, 1890.

#### MOTIONS.

#### ANGLESEY ASSIZES AND QUARTER SESSIONS BILL.

On Motion of Mr. Lewis, Bill to repeal the Act two and three, Edward the Sixth, chapter fifty-four (local), for the keeping of the Sessions and County days of the Isle of Anglesey in Beaumaris, ordered to be brought in by Mr. Lewis, Mr. Kenyon, Captain Verney, and Mr. Bryn Roberts.

Bill presented, and read first time. [Bill 248.]

#### NEW LICENCES (IRELAND) BILL.

On Motion of Mr. T. M. Healy, Bill to regulate the granting of licences for the sale of intoxicating liquors in Ireland, ordered to be brought in by Mr. T. M. Healy, Mr. Johnston, Mr. Peter McDonald, and Mr. John O'Connor.

Bill presented, and read first time. [Bill 249.]

#### OCCUPIERS' AND LODGERS' (METROPOLIS) BILL.

On Motion of Mr. Causton, Bill for the registration of Occupiers and Lodgers in the Metropolis, ordered to be brought in by Mr. Causton, Mr. Sydney Buxton, Mr. Beaufoy, Mr. Thomas Henry Bolton, Mr. Cremer, Mr. Howell, Mr. Lawson, Mr. Montagu, Mr. Octavius V. Morgan, Mr. Pickersgill, Mr. James Rowlands, and Mr. James Stuart.

Bill presented, and read first time. [Bill 250.]

## ORDERS OF THE DAY.

ALLOTMENTS ACT (1887) AMENDMENT  
BILL.—(No. 147.)

Order for Committee read.

\*(3.35.) MR. COBB (Warwick, S.E., Rugby): In moving the Instruction of which I have given notice, I shall endeavour as far as possible to avoid all controversial matters, and try to approach the subject with a sincere desire not to treat it as a mere political contest, to be turned to the advantage of this or that Party, but to deal with it in the interests of those classes for whom so many on both sides of the House are conscientiously striving, and with a wish to contribute towards a settlement of the allotments question. Now, I am very glad to gather from what has fallen from the First Lord of the Treasury that the President of the Local Government Board in all probability will not move the Amendment of which he has given notice; and I sincerely believe that, if he does not move it, he will contribute towards our getting through the business of the day, and I may assure him, not only on my own behalf, but on behalf of others, that if this Amendment is not moved no advantage will be taken of it.

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): Perhaps I may be allowed to say that after what you, Mr. Speaker, have said, I shall not move the Amendment.

\*MR. COBB: I am glad to find that the Instruction which I put down on the Notice Paper, without any knowledge that any other Instruction was going to be put down—I never saw the other notices until they actually appeared on the Paper—I am very glad to see now that the terms of my notice are so wide in their scope that they include the objects sought to be attained by the other notices. My Instruction, it will be observed, treats of two distinct matters. First, I propose that the Committee shall be instructed to create popularly elected Local Authorities in smaller areas than the present areas of Sanitary Authorities, and of course I need not say that I point to Parish Councils. Then, secondly, I propose to confer on these authorities larger powers than the present Sanitary Au-

thorities now have for acquiring and managing land for the purposes of allotments. I am very anxious in my remarks to put with perfect clearness the issue I wish to raise. I shall, of course, go to a Division on my Motion, that is if I do not persuade the Government to agree to it, which I hope I may succeed in doing; but if the House goes to a Division, the issue before hon. Members will be perfectly clear. Those who vote for my Instruction will vote in favour of Parish Councils having power to acquire land for allotments, and those who vote against me will be expressing an opinion that it is better that Parish Councils should not have that power. Now a few words on the first part of my Instruction, as to what Local Authority is to have the power of acquiring land for allotments. I think everyone will agree, whether they agree with other remarks I may make or not, that the success of an allotment system mainly depends upon the authority which is to put that system into force. It seems to me, with regard to the Bill which the Government have introduced, that we do not want so much to have an appeal from the authority which is admitted to be an inefficient authority, but we want to have an efficient authority to administer the Act in such a way that there shall be no occasion for any appeal from its decisions. Now to come to the question, which is *the* question after all, what is the best authority to exercise power in regard to allotments? I remember very well when the right hon. Gentleman the President of the Local Government Board brought in the Allotments Bill in 1887—in July I think it was—he said—“We think that the area of the county is too large;” he was speaking of the area over which the authority which was to have control of allotments ought to rule; that was, of course, before County Councils were inaugurated. Now, I agree absolutely with the right hon. Gentleman in that remark. But what do the Government now propose? The right hon. Gentleman in the first Amendment which he put down to my Instruction said that the whole scope of the Bill now before the House was to provide an appeal from the Sanitary Authority. Now I think that is hardly so. It seems to me that the scope of the Bill, at all events in certain cases where the Sani-

tary Authorities fails to carry out their duty, goes beyond this. The Bill is an admission that in certain cases there are failures of duty on the part of Sanitary Authorities, but then it does not simply provide that there shall be an appeal to the County Council, in the sense in which we generally understand an appeal, namely, to correct the failure of the Sanitary Authority, and to compel that authority to do its duty; but it actually hands over in these cases all powers of every description, and all authority under the Allotments Act of 1887 to the County Council. In fact, in these cases, the Bill dissolves the smaller authority. [*Cries of "No."*] Yes, it is so. The Sanitary Authority is dissolved for the purposes of the Allotments Act, and its powers under that Act are given to the County Council. It comes to this: that the Authority is driven away, ousted from the smaller area, and transferred to the County Council, whose powers extend over the whole county, which is admitted by the right hon. Gentleman the President of the Local Government Board to be too large an area for the purposes of the Allotments Act. This, in fact, is not an appeal Bill, but a Bill for creating a new Allotments Authority altogether, and that in an area which the right hon. Gentleman recognises as too large for the purpose. Then the question arises, what is the proper authority for the purpose, and within what area should it exercise control? The Government have admitted that the Sanitary Authority—in rural districts the Board of Guardians—is not a satisfactory authority. The right hon. Gentleman the other night, in moving the Second Reading of this Bill, said he had never pretended that the Sanitary Authority was an entirely satisfactory authority; and I think there is no Member on this or the other side, who has any knowledge of local administration in the rural districts, who does not know that the right hon. Gentleman is quite right in saying this. Go into any village and ask any man, from the artisan and labouring classes whether the Board of Guardians does its duty in that village, and I am afraid that in 19 cases out of 20 the reply will be very unsatisfactory. Further, even if the people had confidence in the Board of Guardians, which I say they have not upon the whole; if Boards

*Mr. Cobb*

of Guardians were really anxious and willing, which I am afraid in too many cases they are not—in fact, the very introduction of this Bill shows that in some cases they are not—they are absolutely unfitted for the carrying out of the powers under the Allotments Act, because they are acting in too large an area. The reason is obvious. Guardians come from different parishes, and those coming from one parish may be absolutely ignorant, and often, in my own experience, are absolutely ignorant, of the wants and wishes of the people in another parish. A Guardian, as a rule, knows nothing of the local requirements of any parish in the Union except his own. Now, the scheme of the Allotments Act of 1887 in rural districts is that separate allotments shall be provided for each separate parish; and not only that, but that the rents of those allotments are to be paid in each parish by the men in the parish; and that if there is any excess of expenditure, if the rents are not sufficient to pay the cost of the allotments, then the extra cost is borne not by the whole county or Union, but by the parish in which those allotments are situated. Surely then, this being so, and the provision of allotments being regarded under the Act as an absolutely local parochial matter, why in the world is the parish not to be the area for allotments, and why are not Parish Councils to possess authority to acquire land for allotments and to manage them? Of course, when I refer to Parish Councils, I mean—and this goes without saying—Councils popularly elected on the one man one vote principle, and under the protection of the Ballot. What objection, I ask, have the Government to Parish Councils? In July, 1887, when the right hon. Gentleman introduced the Allotments Bill, I remember he gave us, so far as I was able to understand his speech, and so far as I can understand it from reading the speech again, two objections to the parish, and they were these: He said he thought, in regard to the acquisition of allotments, that the organisation of the parish was not efficient. That was his first objection. His second objection was that there was such a large number of very small parishes. Now, everyone who looks into the subject must admit the force of both of these objections. I

admit it myself. The right hon. Gentleman emphasised the expression of his view in another interesting speech in August, 1887, upon another stage of the Bill. He said then, speaking of Parish Vestries (and Parish Councils would, I imagine, be elected by the Vestries), that under its present organisation the Parish Vestry was the most likely Body to be open to the influence of landowners, and he gave as his reason that in the Vestry there was plural voting and there was not the protection of the Ballot. I quite agree with the right hon. Gentleman so far. But we have never asked that Parish Councils should be elected under plural voting and without the Ballot. My Instruction, which I am now moving, refers to a popularly-elected Body, and, of course, one of the first things to do is to reform the Vestry and make it a really popular Body. Indeed, the right hon. Gentleman, in the following month, in September 1887, promised us that at the earliest possible date a Bill would be introduced placing all Local Government on a more popular basis, and he was very particular in saying that he did not at all confine his remarks to County Councils, but to every Authority in rural districts, and, of course, that would include Parish Vestries. One word in reference to the smallness of parishes. We know what an immense number of very small parishes there are. I forget the number, but I know there are scores of parishes with not more than 25 inhabitants, and including not more than five or six ratepayers. Of course, I agree that it would be ludicrous in a parish of this sort to have a Parish Council; but these cases could be easily met by a provision for adding such minute parishes to the adjoining parishes, and providing some minimum population, say 200 or 300 inhabitants, which is a matter for discussion and arrangement. So far as I can see, the two objections raised by the right hon. Gentleman in 1887 can be easily met under my Instruction. I should like to know why the Government seem so afraid of Parish Councils. The Chancellor of the Exchequer cannot be afraid of them, because we all remember the Bill which he introduced, if I remember rightly, in 1869, when he was a Member of the Government of the right hon. Gentleman the Member for Mid Lothian, and in his

speech upon that Bill no one could have praised the parish more than the Chancellor of the Exchequer did. Over and over again he said he considered the parish was the proper unit for Local Government, and he spoke of the chief men in the parish and other matters to which I need not now refer. Again, when the right hon. Gentleman was candidate for Edinburgh in 1885 he confirmed the view he had expressed in 1869, and in much stronger language. Of course, I know what the answer to me will be. The President of the Local Government Board will say that this is all very well, but that it involves a large reform, and will require a large Bill. Now, my experience in this House has not been long, and I do not presume to say that my opinion is valuable; but I can say, after giving much attention to this subject, that I believe that if at this stage my Instruction is accepted and the Committee sets to work to amend the Bill, giving to Parish Councils authority over allotments, giving them power to acquire land and to manage allotments, I say I believe that in the long run an immense deal of time will be saved, because obviously in the end we must come to what I am now proposing. Now, I may be allowed a few more words in order to show how important this matter is. It has progressed very fast in the last few years. It stands in a very different position now to that which it occupied in 1885, when agricultural labourers had the vote given to them by the right hon. Gentleman the Member for Mid Lothian. It has gone forward not only in the last five years, but a good deal within the last three years, aye in the last two years, and even within the last twelve months. The right hon. Gentleman the Member for Mid Lothian is in favour of the proposals which I now make, and expressed his approval in plain language in his speech at Manchester last December. The leaders of the Liberal Party are in favour of it, as appears from the speeches of Lord Rosebery and of the right hon. Members for Derby and Newcastle (Sir W. Harcourt and Mr. Morley). The principle is also approved by a statesman who is not now in this House, but who knows I suppose everybody will admit, more perhaps about Local Government than any other man in the country—I mean Sir Charles

Dilke. In 1885, in his celebrated speech, which no doubt is in the memory of nearly everyone in the House, the speech delivered in Halifax in October of that year Sir Charles Dilke distinctly expressed and advocated the view that the parish should have the power to acquire land compulsorily for allotments and to carry out all the powers in the Bill then before the House, and which was introduced by the hon. Gentleman who sits beside me (Mr. Jesse Collings). Further, I may quote the authority of the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain), because in a speech which, if I remember aright, he made the day after Sir Charles Dilke spoke at Halifax—a very forcible speech—one of the many speeches which he made in 1885, and which I admit to the full did an immense deal to press on the question of allotments—in the speech I refer to the right hon. Gentleman in so many words adopted Sir Charles Dilke's scheme in every detail, and used words which I will read to the House. I am quoting from the authorised edition, edited by Mr. Lucy, of the *Unauthorised Programme* [Mr. JESSE COLLINGS: Hear, hear!] My hon. Friend says "Hear, hear," and I agree with him. The effect of this speech upon me is just the same to-day as it was in 1885, and I have just as much respect for the sentiments it contains, and I may add that many of us liked those sentiments none the less because they formed part of an *Unauthorised Programme*. The words the right hon. Gentleman used were these:

"I will only say briefly of them (alluding to Sir Charles Dilke's proposals) in a sentence that they comprise the idea of a thoroughly popular Local Government in every village, in every Union, in every county, which shall be given the largest powers and widest discretion, by which the local affairs of the people shall be conducted without supervision or interference."

Now, we say that not only are allotments not free from supervision and interference, but that there is a great deal too much supervision and interference. From the Instructions and the Amendments which the hon. Member for Hornsey has given notice of, and which might almost have been copied from the Bill which I introduced in 1887, I am glad, also, to find that there is a strong opinion on the other side of the House that Parish

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Councils or Committees must be the Local Authority to deal with allotments. I may mention another Authority, whom I daresay some hon. Members on the other side may not care to accept, but who, undoubtedly, is acquainted with the wants and wishes of agricultural labourers. I mean Mr. Joseph Arch, and his opinion shortly expressed in a letter to myself is that—

"Any Allotments Act to really benefit the labourers must place the acquisition of land in the hands of Parish Councils elected by the ratepayers."

It is notorious to every hon. Member who has had the opportunity of getting the opinion of artisans and labourers at public meetings that this is also their view. I gather from what was said on the Second Reading that the Government seem to point to District Councils as the Local Authority to deal with allotments, but let me say at once that the same objection applies to this as to Sanitary Authorities and Boards of Guardians as respects area. Why, as a rule, is the work of the Guardians not well done, and why are they unpopular? Mainly because in dealing with any particular parish, from want of local knowledge, most of them are ignorant of the subject before them. Upon this point the right hon. Gentleman the Member for Mid Lothian spoke at Manchester in December last. In speaking of allotments, he said—

"Perhaps not even the County Council can know the exact circumstances of every portion of the county. The members of District Councils might not be minutely acquainted with them. You must go to the doors of the men who are immediately concerned. You must get from them and from their immediate neighbours the fullest advantage of local knowledge."

But now a few words on the second part of my Instruction, as to granting larger powers. That necessarily includes not only giving the Local Authority additional powers, but also the simplification of, and removing restrictions from, the powers they now possess. I am not going to deal with this large question at any length, because I feel that I shall be touching on subjects that are raised by the Instructions of other Members. It will be found that other Gentlemen have taken action on this matter since the passing of the Allotments Act of 1887. For instance,

after I introduced my Amendment Bill in 1888, a Bill was introduced by the hon. Member for South Essex, and it is backed by several hon. Members on the opposite side of the House. It meets a great many difficulties which we on this side raised in the Amendments which we proposed to the Allotments Bill of 1887. It would have been better if some of those Amendments had been carried—such as the one providing that no Act of Parliament should be required to confirm the Provisional Order, such as that extending the size of allotments, and such as that providing that there should be no payment of rent in advance. But there is one power—and I think probably it is the most important power—which is contained in two of the Instructions put down on this Bill, and that is the power proposed to be given to the Sanitary Authority or the Parish Council of leasing land compulsorily for the purposes of allotments. It is obvious that would be a much cheaper operation, if it could be adopted, than the purchasing of land. It would avoid considerable expense, and the less the expense the less the rent the allotment holder will be liable to pay. I want to know, and I have never yet been able to understand, so I shall be obliged personally if the President of the Local Government Board will explain why it is that he is so much afraid of this compulsory leasing power. There is nothing new in it. It is included in the Irish Labourers' Amendment Act, 1885, the authorities under which possess compulsory leasing powers. In 1887 we on this side proposed Amendments to give this power, and in 1888 I included it in my Allotments Amendment Bill. I cannot understand why the Government should not put in a clause giving the Local Authority power to acquire land compulsorily by lease. Of course, I cannot expect the right hon. Gentleman to adopt my advice; but I know he has great respect for County Councils, and it happens that in the county a part of which I have the honour to represent there is an active County Council. A member of that Council is a gentleman who has devoted more time than most of the members to the question of allotments. I refer to Mr. Darlington. He is a Conservative, and I had the honour of being opposed by him at the election of 1885, but he paid me the high compliment of

adopting the principle which I am advocating, and which I had previously included in my Bill of 1888, in a resolution which he proposed and carried at the Warwickshire County Council in favour of compulsory leasing. I beg to press upon the right hon. Gentleman to meet us on this point, if he cannot on any other. I put it to the Government that this Bill will not settle the Allotments Question, but if my Instruction be adopted, it will go a long way towards securing that settlement. I believe the Allotments Question will never be settled until the powers are put into the hands of a Parish Council. I think it will not be finally settled until we do away with the individual relations between landlord and tenant as to allotments, and until, in every case, the allotment holder is the tenant of an authority in the election of which he himself has a voice. I appeal—whether hopelessly or not remains to be seen—to the Government to accept this Instruction. If they will do so, I can say for myself, and I believe I may say it for my hon. Friends on this side of the House, that we will do everything in our power to forward the measure, which will be accepted, if so enlarged, with gratitude all over the country. If the Government will not accept the Instruction, we have a perfectly plain issue before us, and we shall divide upon it.

Motion made, and Question proposed,

“That it be an Instruction to the Committee that they have power to insert Clauses in the Bill, creating by popular election Local Authorities in smaller areas than those of the Sanitary Authorities, and to confer upon them larger powers for acquiring and managing land for the purposes of allotments than those now vested in Sanitary Authorities under ‘The Allotments Act, 1887.’”—(*Mr. Cobb.*)

(4.7.) *Mr. F. STEVENSON* (Suffolk, Eye): I rise for the purpose of seconding the Instruction moved by the hon. Member for the Rugby Division. I should like, in the first place, to accentuate still further the point that it will be necessary to enlarge the powers of acquisition, and among them the compulsory powers of leasing. There is nothing new in the suggestion; it was embodied in an Irish measure in 1885 and in the Scotch Crofters' Act of 1886. Anyone who is acquainted with the rural districts knows it is much easier, simpler, and more expeditious to



acquire land by compulsory hiring than by purchase, which involves to a greater extent the intervention of lawyers. The most effective manner of amending the Allotments Act would be to enlarge its powers. Now, what is to be the nature of the authority to which the Government propose there shall be an appeal from the Sanitary Authority? It is the County Council. That, no doubt, is a step in advance, inasmuch as it is an appeal from an authority not elected upon a popular basis to an authority which is. But the improvement is not so great as at first sight appears, because the County Council cannot have all the knowledge which is required for dealing with local questions effectively. In Suffolk there are two County Councils, one for East and one for West Suffolk. They have made inquiries each in a different way. The West Suffolk Council made inquiries through the instrumentality of the members of the Council, each member conducting the inquiry in the Division he represented. In some cases the investigation was thorough, because the member was energetic; in other cases there was practically no result at all. In the case of East Suffolk the inquiry was made by means of letters addressed to public officers in each parish, and here, again, the result was not satisfactory, owing to the great uncertainty as to the nature of the inquiry. In some cases the officers got the information asked for, in other cases they were either unable or unwilling to get it. But in the case of neither Division was the result satisfactory; because, though they may have got some knowledge of the number of allotments which are held, there was no possibility of obtaining adequate information as to the demand for them. The moral is that County Councils as now constituted are too large to make inquiries in the way in which inquiries should be conducted. The solution which commends itself to many minds is that every parish should be entrusted with powers for dealing with its own affairs, and there is no point on which keener interest is felt than that of dealing with allotments. Of course, as has been pointed out, it will be necessary to differentiate between the parishes, as some may be too small. In some they might be left to manage their own

*Mr. F. Stevenson*

affairs by means of Vestry meetings held at an hour when the labourers can attend, and at which the voting shall be by ballot, and polls taken when necessary on the "one man one vote" principle. And then, when we come to the larger parishes, I think there could be no better authority than Parochial Councils elected by ballot. There is a growing conviction on the part of those interested in this matter that it will be absolutely impossible to settle the allotments difficulty until you have conferred upon those most concerned the management of public affairs. I trust the Government will make the acquisition of allotments more easy and will not confine this Bill to the creation of a power of appeal. I think it is incumbent on the Government to do something in order to meet this difficulty of the non-government of parishes at the present time.

(4.17.) MR. E. H. LLEWELLYN (Somerset, N.): This is not the first time this question has come before the House, and I have endeavoured to discover on what new grounds the formation of these Parish Councils is recommended. In certain parishes no doubt a Parish Authority might be constituted, and could deal with the Allotments Question, but there are very few of those parishes. If I could see a way to the practical solution of this difficulty, I should be in favour of the formation of Parish Councils. But I have failed to find out what the work is that the Parish Councils are to perform. Hon. Members have spoken as if the formation of these Councils would be easy and certain of success. But some parishes are too small.

\*MR. COBB: I suggested that very small parishes should be added to larger adjoining ones.

MR. LLEWELLYN: And the last parishes which should be grouped together are those which adjoin, as in many cases there are feuds between the inhabitants which have been carried on for generations, and I have in my mind's eye several parishes where it would be a positive folly to try and group them. What machinery has a parish at present, or what is it likely to have, for carrying out the Act? It would be necessary to create the machinery and to appoint public officers, and the expense of that would

fall on the parish alone. At present the preliminary stages of the Act are carried out by the Local Sanitary Authority, which cannot take a step without the authority of the parish, because the expense has to be borne by the last-named Body. An Authority would not ignore an application for allotments without giving reasons for so doing; they hold an inquiry on the spot, and no step is taken without the authority and co-operation of the parish. It is only natural that it should be so.

\*CAPTAIN VERNEY (Bucks, N.): I can give an instance where it has not been so.

MR. LLEWELLYN: I know of no case in which the Sanitary Authority has taken the responsibility without first consulting the area immediately interested. As usual, several hon. Gentlemen have abused the Guardians; but I consider it is unfair and ungenerous on the part of hon. Members with no experience of Boards of Guardians themselves to bring such charges against men who do both good and hard work. An hon. Member has said that he is looking forward to the time when all allotments will be held under a Public Authority. But will he bear in mind the difference in the position of tenants under a Public Board and those under private individuals? A man may have a bad year, his crops may fail and his animals die; consequently he cannot pay his rent. If he holds under a Public Board, that rent must be paid punctually on the day it is due; no leniency can be shown. But if he holds his allotment under a private landowner, he may have time given him to recover himself and many ways may offer to enable him to discharge his debt. I think that this Bill is an improvement, and will be considered to be so by the country, and I hope the House will see the necessity of passing it. The Bill will go a long way towards meeting the requirements which are felt, and improving the present Act, which in a great many cases is thought to be a vast boon, and is greatly appreciated.

\*(4.26.) MR. R. T. GURDON (Norfolk, Mid): May I point out that there are two kinds of parishes in the country—close parishes, which are in the hands of one or two large landowners, and in which there is no difficulty about allotments; and what are called open parishes,

in which there are a large number of small owners and occupiers? Here there is considerable difficulty in getting allotments, although there is plenty of land on the outskirts of the parish which is of no use at all. I think it will be generally agreed that allotments are of no use to a labourer unless situated within easy reach of his own home. But in these open parishes the land in the centre is probably let in small holdings of 15, 20, or 25 acres to men not very far removed from the position of labourers, and who would think it very hard to have the holdings reduced 10 or 11 acres in order to supply allotments. It is very little consolation to Naboth when you take away his vineyard to say that you do so for a good purpose. We are accustomed to have Boards of Guardians abused in Debates in this House; but I believe they have, as a rule, done their duty well in connection with allotments. I know several gentlemen who have spent days and even weeks driving about the country persuading, cajoling, and even threatening farmers and landowners to give up land which was desired for allotment purposes. Of course, there is considerable difficulty in carrying out the Act, because there is a certain amount of unpopularity attaching to the enforcement of it. The burden should, therefore, be placed on the shoulders of a pretty strong Body. I am anxious not to overburden County Councils, but I do not think there is danger of that in the Government proposal. I think the Council will have no difficulty in doing the work, and as to their not having sufficient local knowledge, of course they will appoint a sub-Committee to make all necessary local inquiry, and upon the information gathered the Council will be able to bring the whole affair to a satisfactory conclusion. I cannot support the Instruction, because I regard it as a movement in a retrograde rather than a forward direction.

\*(4.30.) MR. RITCHIE: I have no wish to shorten discussion unduly, but I hope the House will not consider it necessary that the discussion of this Instruction should be of a lengthened character. I further hope the House will support the Government in the position they propose to take up, which is that this is a Bill of a very simple character, with one object of a

practical kind. That object is the setting up of a Court of Appeal over the existing Sanitary Authority, and I have every hope that whatever may be the proposals made, and whatever arguments may be used, the House will not be drawn away from that object to any other suggested amendments of the original Act. If every time a small amendment of an Act is proposed the House allows its attention to be directed to other proposed amendments of the original measure, a blow will be struck against small amending Bills when experience shows an amendment to be extremely desirable, useful, and necessary. Unquestionably, the hon. Member for the Rugby Division has raised a very large number of extremely important questions in connection with the Instruction he has moved. He desires, in the first place, to substitute for the existing authority, Parish Councils; and he acknowledges himself that if Parish Councils be adopted it is essential that the variations in the size of parishes should be taken into account, and that there must be division of the larger parishes, and amalgamation of the smaller ones. Now, anyone who knows what the existing feeling in parishes is, will thoroughly understand the enormous difficulty in connection with this subject. I am not at all prepared to deny that when we come to deal with District Councils and the whole question of local administration, it may be possible and, in fact, desirable to deal with this difficult question of parishes; but to raise the question now and deal with it on this Motion is a very unsatisfactory way of dealing with part of a large subject. If Parish Councils are to be set up no one will be content that they should only have the duty of dealing with allotments, and, therefore, the House would have to consider many other powers, which the hon. Member and his friends may desire to confer upon these Councils. I am not here to argue against Parish Councils generally; it is not necessary to do so, and it would not be right or proper, on this narrow issue, to argue the whole question. I hope the House will see that it would be entering an arena of a large and extensive character, and it would occupy very considerable time to discuss at length the proposals embraced in the Instruction of the hon. Member, and

*Mr. Ritchie*

the other Instructions of which notice has been given. Take, for instance, one proposal—that power should be given to increase the size of allotments. That raises the whole question of small holdings, and whether or not they should be placed on the same footing as allotments. Then, again, among other things, it is further proposed that these Parish Councils should have the power of acquiring land compulsorily, which will involve rating powers. [*Cries of "No, no!"*] Surely if power is given to compulsorily acquire land for the purpose of allotments that entails rating powers, or I do not know what does. The hon. Member not only proposes that this authority should have power to acquire land compulsorily, but that they should exercise this power without coming to Parliament at all. Now, this opens one of the largest questions it is possible to conceive in connection with local administration, whether or not the existing law, with reference to the acquisition of land compulsorily, and which provides for Parliamentary sanction for every such application, for any object, public or private, for which land can be acquired, shall be set aside in the case of allotments under powers expressly given to Parish Councils. Now, this proposition involves the possibility of a tremendous change in the law, and yet this is what the hon. Gentleman the Member for Rugby asks us to consider on a Bill which proposes merely to set up the means of an appeal to a popularly elected body against the authority which, in the opinion of some, does not on all occasions perform its duty as it should. No one objects to the proposal of the Government so far as it goes.

An hon. MEMBER: Yes, I do.

\*MR. RITCHIE: Well, then, one hon. Member objects ["And others"], but, as far as I understand, the principle that there should be an appeal to a popularly elected body is not generally objected to, even by hon. Members on the other side. If the proposal of the hon. Member for Rugby were accepted I say at once, without hesitation, that it would compel the Government to abandon the Bill, because the Instruction would open up so many subjects, for the consideration of which it would be impossible to find time this Session. That is my objection to the proposal of the hon. Member. I hope

I shall not be considered as being guilty of any want of courtesy if I do not enter into the merits of the proposal. My objection simply is that the Instruction would enlarge so greatly the scope of the Bill that the acceptance of it would be a death blow to the Bill. As I am the father of the Bill, I object to my offspring being destroyed in such a manner. I entirely agree with the hon. Member for North Somerset (Mr. Llewellyn) in his remarks upon Boards of Guardians, and I take strong exception to the observations of the hon. Member for Rugby, which he seemed to imply were generally applicable to Boards of Guardians, that they perform their duties badly. I do not deny that there have been some who have not performed their duty in a satisfactory manner, as there are also Municipal Councils who do not always do their duty; but I cannot condemn all Boards of Guardians any more than I would condemn Municipal Councils for the faults of one or two. But the hon. Member for Rugby knows perfectly well we did not create Boards of Guardians in order to constitute them the Local Authorities for this purpose, and in making them the Local Authorities under the Act, we acknowledged that they were not as suitable as could be desired, but they were the most suitable that could be obtained at the time; and we undertook, and I undertake again, that when we come to the constitution of District Councils one of the duties that will have to be thrown upon them will be the administration of the Allotments Act. It must not be supposed that because I am not prepared to assent to this Motion and do not now go into the whole argument—*pro* and *con*—it must not be supposed that the question of parishes is entirely lost sight of in the mind of the Government. It must not be assumed that because I decline to accept the Instruction now, that when the time comes to deal with the question of Local Government in smaller areas within the county, and to set up authorities for dealing with allotments, among other purposes, it must not be imagined that this question of parochial administration is one we decline altogether to consider. For the reason I have given that this is simply an Appeal

Bill, I ask the House not to go one jot or tittle beyond its purpose, for if they do it will lead us too far afield, and we shall embark on a course which will lead to the destruction of the Bill.

\*(4.40.) MR. STANSFELD (Hali-fax): The right hon. Gentleman has met your suggestion, Sir, in such a handsome way, declaring that he will not move his Amendment, that, so far as we are concerned, we can assure him that he need be under no apprehension that this discussion will be carried beyond the present Sitting, and I think he will hardly grudge us a discussion to that extent upon a subject in which we take a genuine interest, and an interest which should be above the suspicion of obstruction to the passing of the measure. We did not obstruct the measure before, and have no disposition to do so now. The number of notices on the Paper are not evidence of any such desire, but rather an indication of the deep interest Members feel and desire to express, and this I maintain, the sceptical smile of the leader of the House notwithstanding. Before attending to the remarks of the President of the Local Government Board, I wish to refer to a statement by the hon. Member for Rugby, against which, I understand, the right hon. Gentleman protested, though he did not deal with it in his speech. The hon. Member for Rugby said the acceptance of the appeal would oust the control of the Sanitary Authority in the district, and I understood the right hon. Gentleman to object to the accuracy of the statement. I believe the objection is founded on the 3rd clause, but if, as I understand, the right hon. Gentleman proposes to omit this clause in Committee, then the objection will no longer apply, unless it should apply to any Amendment of the right hon. Gentleman. I must not go into Committee Amendments now, but I may point out that the clause would certainly oust the Sanitary Authority so far as allotments are concerned. The right hon. Gentleman has said quite truly that it is not a fitting or a just thing that we should, if we ever do, attack generally or in general terms the conduct and the administration of the Poor Law and of the Sanitary Laws by Boards of Guardians in this country. I agree with him, and having been Pre-

sident of the Local Government Board, I know something of the operations of Boards of Guardians, and have reason to understand and respect them. But the right hon. Gentleman has confessed that they are not the best authority to entrust with the administration of the Allotments Act, and this for simple reasons easily stated. In the first place, the area of their authority is too large and their functions too many. I do not think I am saying anything disrespectful to Boards of Guardians when I express my belief that they fulfil their duties as Poor Law administrators with far greater success, and with the sacrifice of more time and labour, than is the case with their administration of those Sanitary Laws, duties which I, myself, was instrumental in fixing upon them. It is natural that they should primarily have regard to the first functions entrusted to them, other duties taking a secondary place, and I think that some time we must relieve the Guardians of their sanitary functions and the powers in reference to allotments, transferring the control to authorities within smaller areas. There is another objection to which I refer, and it is not the fault of the Guardians that the method by which they are chosen is not a popular method; they are elected on the plural vote and without the protection of the Ballot. County Councils are elected on household suffrage and with the Ballot. The two systems cannot exist together, and if they come into contact you cannot prevent Boards of Guardians losing their status until they are elected on the same basis as County Councils. There is a third reason, and with that I approach the question of parishes, upon which I observe there is a natural division of opinion. I have never endeavoured to be absolute in the expression of my opinion, but this I do believe; that it is essential for the perfection, for the development of Local Government—for the training of the people for Local Government—that it should be, as far as possible, brought home to the doors of the humblest, and, therefore, I agree in thinking that Parochial Councils or Vestries, with power to appoint Committees, are essential in the future. I do not say you must take the parish as a unit; undoubtedly, you will have, in some cases, to group

*Mr. Stansfeld*

parishes, and this may be attempted by the right hon. Gentleman or a successor. Whatever the unit of Local Government may be, upon that unit must be imposed the duties fitted for that particular area in which they exist. That area may be called the parish of the future. Though the hon. Member for Rugby has spoken largely, and with enthusiastic conviction, of the creation of Parochial Councils, his Motion is not exactly worded in this way, and affords a margin for variations of opinion as to the best method of carrying out his proposal—

“That the Committee should have power to insert clauses creating by popular election Local Authorities in smaller areas than those of the Sanitary Authorities, and to confer upon them larger powers for acquiring and managing land for allotments.”

That this is a perfectly sound view it is difficult to gainsay. Under the existing Act, even when amended by this Bill, the machinery is cumbrous, costly, tedious, and uncertain. I do not think you will do any good whatever, even with smaller areas, until you simplify the machinery. You cannot prevent this being a parish question to whatever authority you give the power to deal with it. I share the opinion of the hon. Member that it is impossible to take any further step towards enlarging local powers until you have created these smaller units. The hon. Member has spoken of larger powers, but I will not go into that subject. I think there ought to be larger powers in whatever authority deals with allotments and most important, in my view, is the power of compulsory purchase at fair market value. Anyone who looks back at the history in recent years of all attempts to improve the sanitary condition of our towns, by pulling down unsanitary houses and erecting sanitary dwellings, must know the immense difficulty always has been the cost arising from the fact that the owner of the unsanitary property, who has no right to any profit at all upon dwellings in such a condition, is allowed to have an extra profit on that account. He gets more for the property than if it was in a sanitary condition, besides exacting an extra 10 per cent. because of the compulsory sale. The moment it is admitted that it is for the public benefit that the land should be

taken, then I maintain the owner should be required to sell it at the fair market value. The right hon. Member for West Birmingham, who has had great experience in public improvements in the city which he represents, said in June, 1886, that the ratepayers of Birmingham had been mulcted in 15 to 50 per cent. more than the real value on property purchased for public improvements, and that, in his opinion, a fair value only should be paid for land bought for public purposes. I entirely adopt that principle. I hope the President of the Local Government Board will understand that this Instruction is not moved from any want of respect for him, or want of belief in his intentions, for I believe in his intentions, but those who support the proposal desire to take this opportunity of putting on record their view in the terms of the Instruction which I feel it my duty to support.

(4.55.) MAJOR RASCH (Essex, S.E.): Things are so absolutely bad in regard to allotments in the Division I represent, that I feel strongly tempted to support this Resolution. Under the Rural Sanitary Authority in South-East Essex, with rent at £1 an acre, under cultivation, whenever we can get a tenant, which is an exceptional thing with us, when land is going out of cultivation wholesale, and with three derelict farms within 400 yards of my own house—under these circumstances we find it impossible to get land for allotments under 40s. an acre, and we have great difficulty in getting it at that. Under the circumstances, one is almost tempted to clutch even at the straw held out by the hon. Member for Rugby. I cannot, however, help thinking, after what the President of the Local Government Board has said, that it would be better to let the Government deal with the question when they see a chance, always under the supposition that the Parish Council is the ultimate solution of the allotments question. I regret that the Resolution of the right hon. Member for Bradford cannot be taken, because it embodies the provisions of a Bill I have introduced on the subject.

(4.57.) MR. SHAW LEFEVRE (Bradford, Central): The Instruction of the hon. Member for Rugby is in two parts, the first having reference to the setting up of a new authority, and the second

the enlargement of the power of the authority to acquire land. It appears to me that this second part practically carries out the Instruction of which I gave notice. I am glad to hear the hon. and gallant Member who has just sat down say he would have been prepared to support my Instruction. I may say that I referred to the measure of the hon. and gallant Member merely by way of explanation, and that it was through misunderstanding the clerk's reply that I inserted the specific reference to the Bill. It seems to me very unfortunate that, having before us this Bill dealing with allotments, we should not have power to deal with questions relating to that subject upon which every Member in the House seems to be agreed. At all events, I trust the right hon. Gentleman will agree to the second part of the Instruction. When the present Act was passing through the House, two years ago, we predicted that it would not have the effect expected by the right hon. Gentleman, and although it has had some indirect effect in inducing landlords to give allotments, which we always expected, it has had little or no effect in inducing Local Authorities to buy land compulsorily. I appeal to the right hon. Gentleman, even now, to accept the half of the Instruction of the hon. Member for Rugby Division, and, to allow the House to go into these important matters.

(5.4.) MR. STEPHENS (Middlesex, Hornsey): The hon. Member for Rugby has put before the President of the Local Government Board a task before which he may well quail, in the construction of Parish Councils for the special purposes of this Bill. The machinery which I propose to employ is very different from that proposed by the hon. Member for Rugby. Instead of Parish Councils I propose that we should make use of the long established and most successful Local Authority which we possess—namely, the ancient Vestries of our parishes. Speaking of the Act of 1887, the hon. Member for North Somerset said—

“The Rural Sanitary Authority dare not carry out the Act. It must wait until it is instructed by the parish, so it is quite clear the ordinary operation of affairs by natural selection has marked out the parishes as the proper bodies to be entrusted with this duty.”

The cry about the difficulty of small parishes is a mere bugbear. Out of

15,000 parishes in this country there are only 773 which have a population of under 50 persons. The hon. Member for Rugby proposes to entrust compulsory powers to the Parish Council. It is quite impossible for parishes, as parishes, to give effect to compulsory powers. It may be regarded as a singular opinion, but I think that the transaction of local affairs by heaping them pell-mell upon a few men and withdrawing them from the great body of ratepayers is not a wise or a salutary mode of conducting local affairs. We are asked at the periodical time to vote for certain persons. Into their charge everything is entrusted, and it matters not how much opposed the ratepayers are to the way in which their affairs are administered, they are for a long term completely helpless. In many parishes there are now Ratepayers' Associations. What can be more absurd than that the ratepayers should elect a Local Board, and immediately afterwards proceed to elect another Board, called the Ratepayers' Association, to watch, defeat, and obstruct the Local Board? I prefer the ancient mode of Local Government in England by which all the ratepayers are brought into and kept in local knowledge, and their interest sustained in business in which they all share. If the business is merely done by a few persons it may be too late when an election comes round to undo what has been done against the wishes of the electors. As to this Bill, I fear that, as it stands, instead of curing, it will intensify the suspicion with which our legislation is already regarded. There is no disputing the failure of the Act of 1887, and what we ought to do is to try and detect the causes of failure which are contained in that Act, so as to avoid them in the legislation which we are now considering. I do not think that these causes have been recognised with sufficient precision, and the very nature of the Bill now before the House shows it. I take it that the causes of failure of the Act of 1887 are the large area of the authority and the remoteness of the meeting place. Only a few persons can serve as Guardians; indeed, people have to be coaxed to become Guardians. You may say it is very desirable that an allotment holder should be on the Allotment Committee or Authority. Of course it is, but it is absurd to suppose that an

*Mr. Stephens*

allotment holder can drive five or six miles and be at the place of meeting by 11 o'clock in the morning. A third cause is the want of intimate local knowledge and the apathy consequent upon it. It is hard to accuse the Sanitary Authorities in this respect; it is their misfortune, and not their fault. I have had a very varied experience in almost every form of local administration. I have been a Guardian for many years, and I confess I know hardly anything of the parishes excepting the one I represent. To some of them I have never been. It seems to me that this Bill is taking a still deeper plunge into the very same cause of failure. The area will be far larger, the meeting place will be still more remote, and the local knowledge will be much less. I believe that the Standing Committee proposed will be useless in operation, and I contend that it would be far better for the attainment of the object in view to build up from below, where knowledge and interest in the matter lie, than to break down from above by cutting up the County Council and making a Standing Committee. The working of this Bill will mean officialism, thorough and almost unchecked. First you have your local inquiry, your inspector and your lawyer, and, of course, enormous expense. The labouring man will see all this, and he will turn away from the Bill. On every ground it is desirable to allow the ratepayers of the parish to take the matter into their own hands, and, if possible, to acquire land for allotments by voluntary agreement among themselves. They are on the spot, and know all the circumstances, and there can be no stronger inducement to economy and prudence than for people to know that the money they are spending is their own and for their own purposes. By adopting this course, too, we shall promote the development of parochial action, whereas the Bill will have a contrary effect, and will lead to friction, unnecessary expense, and dissatisfaction. Allotments are intended to benefit the condition of the labouring poor, but I maintain that this object cannot be fully attained unless the people are enabled to share in the work themselves. I hope that on this side, at any rate, we may share in this work, because I do not think anyone can doubt that there is no

more Conservative thing we can do than quicken the parochial life of the country.

\* (5.20.) MR. SEALE-HAYNE (Devon, Ashburton): I promise not to detain the House long; I rise for the purpose of addressing myself mainly to two points. In the first place, however, I wish to say that I think the right hon. Gentleman the President of the Local Government Board took rather a narrow view of the scope of this Bill. He said it was simply a measure to provide an appeal to the County Councils, but I have read it, and I find that, in addition to that, it will give the County Councils power to administer the Allotments Act—to become, in fact, an Allotments Authority—enabling them, amongst other things, to acquire land by compulsory purchase. The two points I desire to refer to are these: the principles of compulsorily leasing land for the purposes of allotments, and the principle of cheapening the present method of acquiring land by compulsory purchase; they come within the scope of the Bill, and I sincerely hope that when the measure is in Committee the President of the Local Government Board will introduce provisions dealing with these two points. It has been admitted that the Act does not work well. In answer to a question some days ago the right hon. Gentleman the President of the Local Government Board stated that 1,800 allotments had been provided under it, and as there were, according to the last census, about 550,000 agricultural labourers in the country, that will give only one allotment to about every 300 labourers, a proof that the Act has not been very effective. I will give the right hon. Gentleman a piece of my own personal experience in this matter. A short time ago some 25 labourers came to me and asked for allotments. I said I should be glad to give them allotments, but was anxious to test the operation of the right hon. Gentleman's Act, and I suggested that they should apply to the Sanitary Authority in order that a properly constituted Allotments Authority should be set up. These labourers went away, and in a month's time they came back to me and said they had been to the Sanitary Authority, but found that so much expense and difficulty would be involved that they would prefer taking the allotments from

me, and if this difficulty occurs in the case of a willing landlord, those which must be faced in the case of an unwilling landlord must be almost insuperable. The figures quoted by the right hon. Gentleman show that I am correct in this. One of the reasons why the Act does not work is the cost of acquiring the power to obtain land by compulsory purchase through a Provisional Order, and I will give three instances in illustration, taken from the Return which was granted on my motion in 1888, and issued last year, selecting those cases only in which there are only one owner and one occupier. In the first case it cost the City of Bath £80 to acquire the power to obtain possession of only three poles of land for street improvements; in the second case it cost the Bridlington Local Authority £388 in respect to 21 acres required for a public walk; and in the third case the Rural Sanitary Authority of Newport paid £220 for the power to obtain three acres and one rood of land required for the construction of a reservoir. In these cases the cost merely of obtaining the necessary power exceeded, many times, I presume, the value of the land itself. Now, I sincerely trust that the right hon. Gentleman the President of the Local Government Board will see his way when the Bill is in Committee to introduce a cheaper mode of acquiring land for allotments; otherwise I am confident that failure will attend this Bill also. As to compulsory powers, the Amendment that stands on the Paper in my name is a very simple one, and is intended to give Local Authorities power to hire land compulsorily on equitable terms as to rent and length of lease. I am sorry the right hon. Gentleman does not see his way to introduce clauses in the Bill to carry out this object. I drew attention to this when last we had the subject of allotments before us, and I was largely supported in my view—amongst other Members by the Member for the Bordesley Division of Birmingham (Mr. Jesse Collings). My proposal is one which must commend itself both to the Local Authority, which has to obtain the land, and to the landowner. The Local Authority would be relieved of the necessity of raising money by loan for the purchase of allotments, and the landowner would be benefited, as it would



save him from the necessity of parting with, say, the fee simple of a field in the middle of his estate which he might desire to retain possession of, but might not object to let on lease. I beg to disclaim the slightest intention of in any way obstructing the Bill. My Amendment is a simple one, supported on both sides of the House, and I do trust the right hon. Gentleman will see his way to accept it when the Bill is in Committee.

\*(5.34.) MR. JEFFREYS (Hants, Basingstoke): I can assure the hon. Gentleman opposite who has complained of the failure of Boards of Guardians to put this Bill into operation that in my part of the world the Boards of Guardians try to do their duty to the best of their ability, not only so far as the Poor Law is concerned, but so far as the powers of this Act are concerned. As to the statement of the hon. Member who last spoke about labourers going to him, and not being able to get allotments from the Rural Sanitary Authority, if he is not a Guardian—and I presume he is not, from the tone of his remarks—I would advise him to get himself elected, when he would be in a position to enforce the case of his friends on the attention of the Local Authority. I can give my experience of two Boards of Guardians in connection with the Allotments Act. There have been several applications for allotments before us, and in each case there has not been the slightest trouble experienced by the labourers in obtaining what they wanted at a very fair rate. I only mention this because so many hon. Members on the opposite side of the House hold that the Allotments Act has been inoperative. My hon. Friend the Member for Hornsey, speaking from his experience as a Guardian, says that he knows no more about "neighbouring parishes" than he does about a foreign country. Well, all I can say is that that is not my experience. I am familiar, not only with neighbouring parishes, but with every road and every cottage and almost every field within a radius of 20 miles of my own house. No doubt it would be a very nice thing if we could have these proposed Parish Councils; but, according to my experience, it is always a most difficult thing to collect people to attend even vestry meetings. When we have

*Mr. Seale-Hayne*

vestry meetings, either for the purpose of electing Churchwardens or Guardians, we always experience the greatest difficulty in getting half a dozen people to attend them; and if, in addition to the vestries, we are to have another parish authority, you will be overburdening the people with elections. I do not think the people want elections of this sort. They already have elections for Members of Parliament and for County Councils, and now you wish to add to their burdens by giving them elections for Parish Councils. This is not called for, at any rate in my part of the country. I do not know what may be the state of things in other parts of the country, but in Hampshire the Boards of Guardians do all that is necessary; and I believe that even without an appeal to the County Council allotments will be given whenever they are required.

(5.37.) MR. A. ACLAND (York, W.R., Rotherham): Under any circumstances, I do not think the Board of Guardians can be a satisfactory tribunal to the man desiring allotments, as the landowner may have six votes at their election whilst the labourer has but one. The tone of the right hon. Gentleman the President of the Local Government Board is extremely encouraging compared with what it was two years ago, because it shows that the question of the parish is going to be one of the most important points in his next Local Government Bill. I would venture to ask him whether this question of Parish Councils is to be an integral part of his District Councils Bill—which he has told us is already prepared—and will be introduced when we make way for it? The part that the parish will have to play in the future will be a very important one; and the sooner the right hon. Gentleman grapples with that part of the subject of Local Government the better it will be. The only way in which an interest in Local Government can be developed in the mind of the agricultural labourer is to bring the Local Authority near his own home, and thus to educate him for exercising the new responsibility which has been thrown upon him.

(5.41.) MR. JESSE COLLINGS (Birmingham, Bordesley): We have had a very interesting discussion on the main points of Local Government, but

there has been very little said about this Bill. I agree with the hon. Member for Hornsey (Mr. H. C. Stephens) in his desire to revive the parish life.

\*MR. SPEAKER: I must remind the hon. Member that it is not the Bill, but the Instruction which is now before the House.

(5.42.) MR. JESSE COLLINGS: Let us see how the matter stands with reference to the agricultural labourer and his present position. The Act of 1887 has been said to have been inoperative. ["Hear, hear!"] I do not know whether that "hear, hear" means that it has had no operation, or that it has had an insufficient operation. Over 8,000 men have received allotments by the direct and indirect operation of the Act of 1887. Hon. Members seem to think an indirect operation is of no use. Let me call attention to a case in a Midland parish where we brought before the landlord the existence of this Act, the provisions of which he was not aware of. The landlord said, "If it is the law of the land that allotments are to be provided I will provide them," and the result of our application to him was that we got as much land as was wanted at 10s. an acre, and the men are very well satisfied. This is what I call an indirect operation of the Act. I quite agree with those Members who say that the Boards of Guardians have not been altogether a satisfactory body to administer this Act. Some of them, however, have acted in a most satisfactory way. At Kingsclere the Local Authorities have been most assiduous in supplying all the wants of the men. In one case they positively went out of their way to secure a solitary allotment for a man who lived by himself a long way off the other labourers in the parish. I could give hundreds of similar cases. At the same time, there are some Boards of Guardians who have refused to do anything. We have always been told that the great defect of the Act of 1887 is that the Local Authorities can refuse to act if they choose, and that there is no Court of Appeal. Well, this Bill will provide a Court of Appeal in a cheap and easy way. Shortly after the Bill was introduced the *Labourers' Chronicle* stated that it entirely did away with the defects of the Act of 1887 in this respect—although I admit it has

since changed its tone. Now, Sir, why cannot we provide this remedy? I have a long list of cases in which men would be supplied with allotments immediately if a Court of Appeal were provided. I should be very glad to see a measure passed in the direction indicated in the proposed Instruction; but it seems a monstrous claim that the Government should take it bodily and put it into their Bill. The hon. Member for Rugby (Mr. Cobb) says the issue of the vote we are about to take is for or against Parish Councils.

\*MR. COBB: What I said was for or against Parish Councils being the authority for dealing with allotments.

MR. JESSE COLLINGS: To my mind the real issue upon which we are going to vote is, whether we are or are not to defeat the Allotments Bill. It is evident, from what the right hon. Gentleman the President of the Local Government Board has said, that if these Instructions are carried there is an end to the Bill. I cannot help sympathising with the Government in this matter. They have given us an Allotments Act, which they are now about to amend, and I have not heard any hon. Member speak against the Bill as far as it goes. The hon. Member for Rugby, as I understand, does not suggest that if his Instruction were adopted, it would not be necessary to re-arrange parishes in some way. The parish of Sutton, in his own county, contains 13,000 acres, whilst there are other parishes with about 500 acres. I know a parish in my county with as many as 60,000 acres, and, quite near it, a parish with 700 acres. The enormous amount of detail, and the enormous labour that would be involved in carrying out a measure of that character, afford good reason for the argument of the right hon. Gentleman the President of the Local Government Board, that it would be an absolute impossibility to get the Bill through this Session. Are the labourers to wait for another 12 months before they have the remedy which is now offered to them, and which the adoption of the Instruction would take out of their hands? I did not understand whether the hon. Member wished to give these Councils rating powers, in order that they might have funds for the purchase of the land, or whether they are simply to manage the allotments. If

he means to give them rating powers the intricacy would be much increased; whilst if they are only to manage the allotments the system will not be much better than that which will be constituted under this Bill. I say, then, do not bring forward these proposals at the present time when their effect will be to delay a measure which hon. Members cannot deny supplies a great want, and will be for the great benefit of the labourers. If these Instructions are carried, as I have already said, you kill the Bill. Is that a prospect hon. Members like to contemplate? I do not like to contemplate such a prospect. I know of no legislation in this country which has not been built up step by step; and I hope my hon. Friends are not going to prevent the taking of such a tremendous step forward as this Bill will enable us to make. I think it would be better, and that it would be more consistent with all our views, if we assisted the Government in this matter. I do beg hon. Members not to persist in a proposal the effect of which will be to smother a measure which clearly tends to benefit the class we all seek to serve. To my knowledge there are some scores of labouring men who cannot get allotments now, and who will be able to get them under this Bill if it be allowed to pass into law.

(6.0.) **SIR WILLIAM HARCOURT** (Derby): I have to ask the House to consider in what position we stand, and in what position the Government stand, in reference to this Instruction, and also what are the objects of the Instruction. As I understand it, its object is to declare that the Bill as introduced by Her Majesty's Government—not that it is bad in itself—would be improved by being enlarged. That is the declaration of the Instruction. Now, Sir, who is the person who gets up and denies that proposition? It is my hon. Friend the Member for the Bordesley Division (Mr. J. Collings). The hon. Gentleman has himself an Allotment Bill (No. 2) on the Order Paper, the only justification for which is that it contains a great many things which are not in the Government Bill, and yet the hon. Gentleman gets up and says the Government Bill ought not to be enlarged. That, to my mind, is a most extraordinary position. It is as much as to say that although there are a

*Mr. Jesse Collings*

number of things which require to be amended or enlarged, he will, nevertheless, take every opportunity of preventing their being dealt with. Well, Sir, our position is a very difficult one. We say, by this Instruction, not that we desire to throw out the Bill, but that we admit there is a necessity for such a measure, and we wish to add something to it. Now, I suppose I must take the mind of Her Majesty's Government from what is done by the hon. Member for Bordesley. He, in fact, is the interpreter of the mind of Her Majesty's Government. He says, "For Heaven's sake don't enlarge this Bill, because anything that is added to it will destroy it."

**MR. JESSE COLLINGS:** I simply repeated the words of the right hon. Gentleman the President of the Local Government Board.

**SIR WILLIAM HARCOURT:** The eloquence of the hon. Member simply consists in repeating the sentences of Her Majesty's Government, not only on this question, but upon all other questions. Whatever Her Majesty's Government say the hon. Member for Bordesley repeats, and probably he thinks that that repetition adds a strength and force to what the Government say that otherwise it would not possess. No doubt we perfectly understand the position of the hon. Member for Bordesley, and I think it is also thoroughly understood by the people outside this House. For my part, I think Her Majesty's Government are more reasonable and intelligible on this subject than the hon. Member for Bordesley gives them credit for being; and I believe there are hon. Gentlemen on their own side of the House who would also desire that this Bill should, if possible, be extended, and that things should be inserted in it which are not in it. I believe, with the right hon. Gentleman the Member for Bradford (Mr. Shaw Lefevre), that this Instruction may be divided into two parts. The first part of it enables the election of the Local Authority to be incorporated in the Bill, and that, undoubtedly, is an important matter, and would require extensive and distinct machinery, and I daresay that the adoption of this Instruction would lead to a very interesting discussion as to the character of the Local Authority. I listened with some interest to the remarks of the hon. Member for

Hornsey, who stated that the Parish Authority would be a most appropriate authority for dealing with the objects of this Bill, while the present Sanitary Authority or the County Councils would be altogether inappropriate. I also listened to the speech of the hon. Member for North Hampshire in glorification of the Boards of Guardians. I do not wish to disparage those Boards, but I must say that they are bodies who know very little indeed about the parishes, and of whom the parishes themselves know nothing at all. I can cite my own experience of Hampshire, in which I reside. I remember that when the Local Government Bill was under discussion I happened to be down in that county at Easter, and I thought I would go to the vestry meeting. I found there three farmers and a clergyman, and I was informed that the rate had been increased. I suggested that it might be well to inquire why the rate had been increased, and that proposition was received with acquiescence. I said, Would it not be better to look a little into the accounts? but they said, We have not any accounts; and I think they added that for eight or nine years no accounts had been published by the Board of Guardians in reference to the administration of the rate. That was my first introduction to the mode of administering relief by the Boards of Guardians. An hon. Member opposite has said, How is it possible that the Sanitary Authorities should go against the wishes of the parishes?

MR. STEPHENS: That was not my argument at all.

SIR WILLIAM HARCOURT: The hon. Member referred to the case of the Parish of Cottenham, the details of which I do not propose to go into. But I may state that letters were addressed to the Local Board on the subject of the refusal of the Local Authority to make allotments there, when the matter was discussed at some length. I have here a letter from the Chairman of the Sanitary Authority, who says that the whole matter was gone into, and the Sanitary Authority would do nothing in it. The Chairman also said he knew nothing about Cottenham. That is the statement made by the Chairman of a body which would have the management of allotments in the Parish of Cottenham.

Well, I think it would be wise to introduce provisions into this Bill which would have the effect of amending such a state of things. The right hon. Gentleman the President of the Local Government Board has said that this question would arise when we dealt with District Councils. For my part I cannot understand why he is not dealing with District Councils this year. As it is, the matter is to be postponed until we come to deal with that subject. I think that this discussion has shown how unfit the Sanitary Authorities or Boards of Guardians are to deal with matters of this description. The Instruction now before the House would confer further powers for acquiring and managing allotments. Well, is the House or are the Government opposed to that? Is the hon. Gentleman the Member for Bordesley opposed to it? At any rate, the House ought distinctly to understand that the issue we are about to divide upon is whether or not larger powers for this purpose should be given by this Bill. Do not let there be any mistake about that. The Instruction does not compel anything; it merely enables the Committee to consider this matter, so that when we consider the Bill in Committee we may propose a new area of Local Government. If hon. Members approve of this Instruction let them vote for it. Do not let there be any hoodwinking in reference to this question. The right hon. Gentleman the President of the Local Government Board has said that he would rather drop the Bill than introduce provisions which would be too heavy to be carried into the Bill. Hon. Gentlemen opposite have said that they desire to see larger powers given. Well, then, let them vote for this Instruction. If they do not desire to see larger powers given, let them vote against the Instruction. Well, then, they say that the Government will drop the Bill. Why should they do so, when clauses can be introduced in Committee, and the Committee can decide whether they should be adopted or not. I would vote against clauses which I thought would destroy the Bill. I do not want to destroy, but to enlarge the Bill; and I do not want to enlarge it in a manner which would overweight it. I want to introduce into it such useful provisions as it could properly bear. I admit the weight of

the argument of the President of the Local Government Board. I do not think we could frame a new and complete system of Local Government in this Bill. But there are several things I should like to put into it; for instance, the power of hiring instead of buying land. It is unreasonable for the Government to say—"If you agree to that we will drop the Bill." Do you mean to confine the amendment of the Allotments Act within the four corners of this Bill or do you not? In my opinion, you act unwisely simply to confine your Bill to the establishment of an Appeal Court. If the Boards of Guardians have failed to act, the County Councils are not likely to act. In one or two cases you might get something done; but the proposal is not going to give a vitality to this legislation which it does not possess already. The constitution of the County Council is utterly inappropriate for this sort of work. How could the County Council deal with the acquirement of little bits of land for the purposes of allotments perhaps 50 miles away? It is not done by Boards of Guardians; it is geographically impossible. The County Council can no doubt deal effectually with main roads, county bridges, asylums, and police management; but to suppose that it could take charge of the management of allotments is entirely to misconceive the whole character of the business. What we really want to do is to give larger powers, and clauses might be proposed in order to see whether or not any of them could be adopted. The President of the Local Government Board has pleaded in favour of his own child. That is a very proper parental sentiment. The apology that he has made for that child is the old apology—"It is such a very little one." We want to feed up his little child into a promising bantling. That is really the object of this Instruction. I can assure him that we have not the smallest disposition to destroy his child, but we would rather have seen twins. I hope the Government will not regard this Instruction as hostile to their Bill. I can assure the right hon. Gentleman that there is no desire to press clauses that might not reasonably be accepted. Why not take this opportunity? Why not open the door to useful amendment? If you

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say "No, we consider our Bill so perfect that we exclude from it everything else," we cannot accept that condition. We desire to enlarge and improve it, and it is upon that ground that we divide in support of the Motion.

\*(6.25.) THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG, Wilts, Devizes): Sir, I do not intend to follow the right hon. Gentleman through the course of his speech. He referred to the apology of my right hon. Friend as a very old one. I think we may say much the same of the right hon. Gentleman's speech. It is a very old speech, and it consisted chiefly of offering the Government some advice which the right hon. Gentleman has been good enough to offer us in a previous occasion. We much regret that we were unable to accept the right hon. Gentleman's advice then, and we are in much the same position now. I can well understand that the right hon. Gentleman the Member for Derby would be very glad to induce the Government to accept his advice so as to embarrass their business, and he would be equally ready to turn round and abuse them for not properly conducting the affairs of the country. The right hon. Gentleman has attempted with all his wonted charms and seductions to win us over; but we will not fall into the trap laid for us, and we will manage our own affairs in our own way. The hon. Gentleman (Mr. Seale-Hayne) waxed very eloquent over the vast expenditure that would be incurred in obtaining Provisional Orders for the purposes of allotments. The hon. Gentleman has ignored the provisions of the Allotments Act under which a Provisional Order is put in a Confirming Bill brought into this House and taken before the Committee upstairs. If the Bill is opposed, the Committee have the power, if they think that the expenditure caused by the opposition has been improperly brought about, to lay the costs upon the opponents. That power does not exist with regard to other Provisional Orders, and it is manifestly unfair to compare the case of a Provisional Order for the purposes of allotments with the Provisional Orders for other and wholly different purposes.

\***MR. SEALE-HAYNE:** The cases which I cited were unopposed.

\***MR. LONG:** The hon. Member quoted cases, so far as I remember, from certain towns in reference to their improvements and other matters. I hope before very long we shall be able to tell the hon. Gentleman what is the actual cost of obtaining Provisional Orders for allotment purposes. My hon. Friend the Member for Hornsey spoke of the necessity for lawyers and surveyors. I can assure the House that under the provisions of the Allotments Acts there is no need for the services of lawyers and surveyors, and it is quite possible for the land to be obtained at an agreed price, and then to obtain a Provisional Order at a very small price indeed. The right hon. Gentleman (Mr. Stansfeld) made a suggestion with reference to the price paid for land taken compulsorily, and said that by the working of the Sanitary Laws there had been great difficulty in securing the removal of unsanitary buildings owing to the cost. He suggested that the cost might well be reduced. That is all very well where an individual has allowed his property to become unsanitary; but where a man is not in such default, I do not think the House would say that he should be punished by having his land and property taken on just the same terms that he would have received had he been in default. The right hon. Gentleman told us the Bill was going to be a failure because it gives these powers to the County Council; but I do not think the right hon. Gentleman is aware that County Councils have expressed a desire to have these powers and their readiness to use them. I am convinced that they will carry out the Bill. The issue is a very simple one: it is the carrying of an amending Bill, which will remove existing difficulties, or the consideration of proposals which it is impossible to carry out. The discussion has been very full and complete, and I hope we may now be allowed to get the Speaker out of the Chair and the Bill into Committee.

(6.30.) The House divided:—Ayes 210; Noes 249.—(Div. List, No. 67.)

Bill considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Monday next.

#### KEW AND PETERSHAM VICARAGE BILL.—(No. 229.)

Considered in Committee.

(In the Committee.)

Clause 1.

(6.50.) Question put, "That Clause 1 stand part of the Bill."

The Committee divided:—Ayes 256; Noes 136.—(Div. List, No. 68.)

It being after Seven of the clock, the Chairman left the Chair to make his report to the House at Nine of the clock.

Committee report Progress; to sit again upon Monday next.

#### ORDERS OF THE DAY.

##### SUPPLY.

Order for Committee read,

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

#### DISESTABLISHMENT AND DISENDOWMENT OF THE CHURCH OF SCOTLAND.

\*(9.2.) **DR. CAMERON** (Glasgow, College): Mr. Speaker, for the third time in this House I rise to move:—

"That, in the opinion of this House, the Church of Scotland ought to be disestablished and disendowed."

On the two former occasions the Motion was defeated, but only by an English majority. It was supported by a large majority of the Scotch Members. In 1886 the majority of Scotch votes in its favour was three to two, and in 1888 they were as two to one. In 1888, 38 Scottish Members voted, and two paired, in support of my Resolution, and only 20 voted against. And, to show the direction in which public opinion is running in Scotland, I may add that the bye-elections which have taken place since the constitution of the present Parliament have resulted in the return of an even greater proportion of Members supporting my views. In 1877 the noble Lord (the Marquess of Hartington), when leader of the Liberal Party, and when the pass-

ing of the Patronage Act had made Disestablishment a prominent question in Scotland, said, speaking in Glasgow—

"All I can say is that whenever Scottish opinion, or even Scottish Liberal opinion, is fully formed on the subject, I think I may venture to say on behalf of the Liberal Party as a whole that they will be prepared to deal with the question as a whole without regard to other considerations."

I am sorry the noble Lord is not in his place. I think it must be held that Scottish opinion is fully proved on this subject when, 13 years after the noble Lord's utterance, the total vote at two successive elections of all sections of Liberal Members from Scotland, including that over which the noble Marquess himself presides, was on the first occasion as four to one, on the second five to one in favour of my Motion. Not only so, but the bye-elections since 1886 show that out of 12 Liberals, orthodox and heterodox, returned to this House by Scotch constituencies, 11 support the Disestablishment of the Church of Scotland. The noble Lord has such a reputation for courage and straightforwardness that I am certain, when these facts are brought to his notice, I may rely upon him for his support. The right hon. Gentleman the Member for Mid Lothian, at the time to which I refer, was not the official leader of the Liberal Party; but since he has resumed his natural position as its leader he has always expressed his adhesion to the doctrine laid down in the words of the noble Lord. Very recently he made a speech at St. Austell, and from what he said in that speech I think I may confidently rely upon his support. Then there is another statesman in this House—one of eminence—I refer to the Chancellor of the Exchequer. In the last Parliament he sat for a Division of Edinburgh, and he was naturally cross-examined as to his views upon this question. His replies on the occasion were oracularly ambiguous. But time has unriddled the oracle, and I now claim his vote. I do not want to misrepresent his position, and, therefore, I will describe it not in my own, but the words of one of his supporters—Lord Wemyss—who thus spoke of it in a meeting which he addressed at Glasgow, in October, 1885. After paying a high tribute to him, and speaking of him as one to whom Cross-Bench men looked

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forward with hope, the noble Lord went on to say—

"Mr. Goschen came to be heckled and collared on the question of Disestablishment, and what was his answer—not in a speech. In a speech a man says 50 things which he would rather not see in print. But when you come to be heckled you have time to think what you are going to say, and you answer carefully. Well, what was Mr. Goschen's careful answer to this question of the Established Church? 'My convictions.' Well, what are his convictions? I read it in the *Daily Review*, so I suppose it must be all right, 'My convictions,' replied Mr. Goschen, 'are the wishes of the people of Scotland.'"

["Hear, hear!"] An hon. Member says, "Hear, hear!" So say I, when the Scottish Members in two successive Parliaments have twice expressed the wishes of the Scottish people upon my Motion in the only manner in which those wishes can be unequivocally and constitutionally expressed, namely, by an overwhelming majority of their votes in support of my proposition. Knowing that the right hon. Gentleman's convictions are the wishes of the Scottish people I have a right to claim his support. I only regret that he no longer occupies a seat for a Scottish constituency, so that greater local weight might attach to the expression of his opinions in the shape in which events have at length consolidated them. But though the enormous preponderance of the Scottish vote ought, in my opinion, to be sufficient to convince the Chancellor of the Exchequer and the noble Lord the Member for Rossendale it has not been sufficient to convince my hon. Friend the Member for the University of Glasgow, whose views of everything which concerns the Church of Scotland are cast-iron and adamant, and proof alike against the teachings of experience and the logic of facts. That the hon. Member for Partick and the hon. Baronet the Member for Ipswich have adopted his words, speaks more for the heartiness of their approval than for the fertility of their resources. These hon. Gentlemen declare that there is no reason, either as regards the present position of the Church of Scotland, or the position of the people of Scotland, why a proposal should be entertained for the Disestablishment and Disendowment of that Church. The Representatives of the people of Scotland, selected in successive Parliaments under the widest franchise,

and with the protection of the Ballot, may record their votes as they please; the bye-elections can afford what additional indication they may of the feelings of Scotland, but to the impenetrably armour-clad mind of my hon. Friend, these facts afford not the smallest reason why any attention should be paid to the matter. There is, according to him, absolutely no reason, so far as regards the wishes of the people of Scotland, why the proposal should be entertained, not even after the results of the bye-elections, and the unequivocal expression of opinion by the large majority of Members in this House. Such a position seems to me so obviously to constitute either a libel upon, or a treason to, our whole system of Parliamentary representation, and I do not think it is necessary to waste further time in endeavouring to refute it. I can only express my astonishment that a doctrine which is so utterly subversive of the whole of the fundamental principles of our Constitution should be advanced in identical terms by three Members, who claim to belong to the Constitutional Party, without calling for condign and summary reproof and repudiation from their Colleagues. But, says the hon. Member for the Glasgow University and his supporters, there is no reason, as regards the present position of the Church of Scotland, why the proposal should be entertained. He does not qualify his assertion. He does not say there is no adequate reason. He says, "There is absolutely no reason whatever." That is an assertion which, I venture to say, is as unblushingly audacious and untenable as that which I have just characterised. What is the position of the Church of Scotland? Now, Sir, prior to the disruption of 1843, the Established Church embraced the majority of the population of Scotland. At various dates, comparatively small bodies had lived off from it, but prior to the Disruption the Established Church of Scotland embraced the vast majority of the Presbyterian population. Between 1832 and 1842 the Established Church of Scotland entered into a historical and momentous struggle with the Civil Courts of the country. The struggle arose out of the rights of patrons to intrude unacceptable ministers on unwilling congregations; but in the course of the struggle a number of most important points of ecclesiastical polity

evolved themselves on which the decisions of the Civil Courts were at direct variance with the most cherished doctrines of the Church of Scotland. To give one single example. One of the most cherished doctrines of the Church is the headship of Christ—that is to say, that the Church derives its spiritual jurisdiction direct from our Saviour. In one of his judgments the President of the Court of Session, referring to the doctrine, said—

"That our Saviour is the head of the Kirk of Scotland in any temporal or judicial sense, is a position which I can dignify by no other name than absurdity."

Now, Sir, the result of this long struggle was that, in the year 1842, the strain between Church and State became very great, and the General Assembly of the Established Church drew up a protest and claim of right. In that document 12 principles were laid down, which the Established Church considered of most vital importance, but which, in their opinion, had been contravened by the decisions of the Civil Courts, which, to quote the words of the protest, in determining these points against the Church—

"Had exercised powers not conferred on them by the Constitution—had invaded the jurisdiction of the Courts of the Church, had subverted its Government in opposition to God's Word, in violation of the Constitution, and in disregard of divers express enactments of the Legislature."

The General Assembly drew up this protest and claim of rights for submission to the Sovereign and the Legislature, and wound up with an appeal to all office-bearers and people of the Church who were willing to suffer for their adorable King and Head, to stand by the Church, and to unite in supplication that He would turn the hearts of their rulers to redress their grievances, "or otherwise"—I ask the House to note these words—

"Or otherwise that He would give strength to this Church, office-bearers and people, to endure resignedly the loss of the temporal benefits of the establishment and the personal sufferings and sacrifices to which they may be called, and would inspire them with zeal and energy to promote the advancement of His Son's Kingdom in whatever condition it may be His will to place them."

Well, here we have formulated by the entire Established Church of Scotland a number of points in which the law, as interpreted by the Civil Courts, was sub-



versive of the doctrines of that Church. You have a demand made for the redress of these grievances by legislation, and the position taken up was that unless the grievances were remedied there was no alternative but to shake off the trammels imposed by State connection, and, at whatever cost, to assert the spiritual freedom of the Church. That protest came before the Government, and the Legislature, and the Church was informed that its claims were incompatible with the position of the Established Church. And, thereupon, those of its people who adhered to the doctrines of the National Church as laid down in its solemn protest—those men in whose mouths the words “suffering” and “sacrifice” were more than idle wind proceeding from the teeth outward—those who were willing to undergo suffering and sacrifice for conscience sake—these men went forth from the Establishment claiming that they were the rightful Representatives and heirs of the traditions of the Church of Scotland, which they said, and rightly said, was national, not because it was established, but because it was free. Now, those who were thus driven forth from the National Church did not at once demand Disestablishment and Disendowment of the Church of Scotland, but when they did make the demand, the circumstances under which it was made rendered it vastly more weighty. They did not make it, as might have been expected, when smarting under a sense of injustice and embittered by the sacrifices they had to make. They endured those things patiently. They worked on for something like 40 years, during which, at the cost of incredible labour and sacrifice, in many instances, in the face of every obstacle which bigotry and intolerance could suggest, at the cost of a pecuniary expenditure of close on 11 millions sterling, they reared an ecclesiastical system which extended over Scotland, and which rivalled the Establishment in its influence and importance. During those 40 years nothing was done to remedy their grievances or to render possible the return to the Establishment of those who had gone forth from it, until, at length, at the instance of the supporters of the Establishment, Mr. Disraeli brought in and carried his Patronage Act; not with the object of re-incorporating the Free Church, but for the purpose

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of inducing desertions from other Scotch Churches by which the Establishment might be strengthened. There was no pretence that the Act would lead to a re-union of the Church. “I have always said,” stated the Duke of Argyll, “there is no hope whatever for the re-union of the Free and Established Churches except on the ground of Disestablishment.” The object of the Act was to induce large numbers of lay members of the other Churches to return to the Establishment under the pretext that the most substantial of the grievances that had been alleged should be redressed. As the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) described it was “an attempt to steal back piece-meal what had been driven forth wholesale,” and resented accordingly. Under these circumstances the Free Church was at length compelled to admit that an Establishment so identified with a policy of antagonism and aggression, backed up in that policy by a powerful political Party and State Endowment, constituted a standing menace to its usefulness in the great sphere of Christian work which, at such great cost, it had opened up. The Free Church was at length compelled to admit that under the altered circumstances the maintenance of the Establishment was unjust and inexpedient, and since then, by constantly increasing majorities, the General Assembly of the Free Church of Scotland has voted in favour of the proposition now before the House. And yet the hon. Member for Glasgow University sees no reason why this proposal should be as much as entertained. Why, in reply to an argument of the hon. Gentleman himself it was pointed out, in 1886, by the right hon. Gentleman the Member for Mid Lothian, that there was not another example in Christendom of a Church enjoying the advantages of State Endowment and State Establishment existing alongside two other Churches of almost equally numerous membership, adhering to the same doctrine, more strict in the enforcement of its discipline than the Established Church, which, having been driven forth from the Establishment, in consequence of their uncompromising adhesion to its principles, now found themselves subjected to the disadvantage of State prestige and State Endowments being used by the Estab-

lishment as a lever for their disintegration. There is no reason, forsooth, in the present condition of the Church in Scotland! It is admittedly the Church of the minority of the Scottish people. It does not claim more than 46½ per cent. of the people of Scotland, and we altogether repudiate that claim; still we will take it at their own figure as 46½ per cent. They do not, on their own figures, embrace more than 56½ per cent. of the Presbyterians of Scotland. That leaves 43½ per cent. of the Presbyterians belonging to other Churches. Is that a minority which can be utterly disregarded in the discussion of a question of this sort? The number of Established churches, although there was some quibble about mission stations—is less than the number of other Presbyterian places of worship; and there can be no question that the attendance at the dissenting Churches is greater than at the Established Church. Its revenues are less than half the revenues of the other Presbyterian Churches. What right, then, has this one portion of the Presbyterian Church to exclusive privileges—to exclusive State support—especially when those advantages are used for aggression against the other Presbyterian Churches? I do not complain of the Established Church being aggressive. If it were not aggressive it would show a lack of vitality; but I ask why should the State aid one portion of the Presbyterian Church, and enable it to extend its bounds at the expense of the Presbyterian and other Churches, which are as pure and as zealous in the work they have to perform? We used to have the Act of Union thrown at us, and to be told that the Established Church was guaranteed by that Act; but hardly was the ink dry on the Act, than its most important provision with regard to the freedom of the Scottish Church was thrown overboard by the passing of the Patronage Act of Queen Anne. Only last year, too, the provision which exacted a theological test from every Professor in a Scottish University was swept away. That, perhaps, explains why the old stalking-horse of the Union did not appear in the Amendment to his Motion. We are told that the Established Church of Scotland is doing good work. Will hon. Gentlemen deny that the other Churches

are doing equally good work? We are told that without State aid the spiritual wants of the poor of Scotland must be neglected. I hold that to be a libel on all the other Churches of Scotland. The Free Church provides almost exclusively for the wants of the poor in the Highlands of Scotland, and the United Presbyterian Church in Orkney and Shetland. In many of the Highland parishes the position of the Established Church is almost as great a scandal as almost anything that could be picked out of the history of the old Irish Establishment. In a statement which has been distributed amongst hon. Members will be found a list of 13 Highland parishes, embracing a population of over 13,000 souls, and in not one of the parishes are there to be found more than 10 Communicants of the Established Church, whilst in the whole of them that Church claims only 63 Communicants. I could quote scores of instances of the same kind. Even in counties like Caithness, or Ross and Cromarty, where the State subsidy amounts to £6 or even £10 per head of the Communicants, the position of the Established Church is most wretched and deplorable. We are told that the Established Church is rapidly enlarging its boundaries. We claim that the other Churches are doing the same. But if it is increasing more rapidly than the other Churches in Scotland it must be in consequence of the legislation which has been undertaken by this House against the vote of the vast majority of the Scotch Representatives. If any disproportionate increase has taken place in the Established Church, it must have been at the expense of the sister Churches. But we do not admit that the Patronage Act, or the policy since pursued, has in any way strengthened the Established Church. On the contrary, we believe it has been a source of weakness to her by embittering the relations between the Established Church and the other Presbyterian Bodies, and it has convinced a large majority of the people of Scotland that the continued maintenance under present circumstances of the Establishment, so far from being a boon to their religion is a curse. The endowments of the Established Church amount to about £350,000 or £400,000. This, it is said, is the patrimony of that Church, but it is not the patrimony of a

Church. It is the patrimony simply of the Ecclesiastical Establishment for the time being. The endowments are the remnant of the patrimony of the old Roman Catholic Establishment—the patrimony of the Episcopal Establishment. Then they formed the patrimony of the pre-Disruption Presbyterian Establishment, and then of the post-Disruption Erastian Establishment. They are as much the patrimony of the Establishment as the property of the Board of Works or the Post Office may be said to be the patrimony of those Departments, and they are as much the property of the nation as that property. In their history and origin they are infinitely more clearly the property of the nation than certain educational endowments, the destination of which has recently been altered with such ruthless hands by a Royal Commission, of which the hon. Member for Glasgow University (Mr. J. A. Campbell) and Lord Balfour of Burleigh were prominent Members. I say it comes with a very bad grace from that hon. Gentleman and that noble Lord to accuse us of spoliation after the very active part they have taken in putting in force, on much more debatable ground than we propose to invade, the doctrines we advocate, and especially when, as in the case of the Madras College, St. Andrews, they have sometimes carried out their policy with a cruel disregard of the vested rights of individuals, who had earned those rights by life-long service of the public, and who, owing to the decrees of the Commission, have been thrown upon the world to live as best they may. An attempt has been made to drag a red herring across the trail by suggesting that the endowments should be distributed amongst the Presbyterian Bodies. That proposal has had no practical support and has already been denounced by the leading Representatives of the Free Church and the United Presbyterian Church. The hon. and learned Member for Inverness (Mr. Finlay), when he, a few years ago, introduced a scheme for the re-union of the different Churches, spoke of bringing in a subsequent Bill dealing with this branch of the subject, but nothing more has been heard of it, probably owing to the difficulty being recognised of making this suggested adjustment of the endowments. But it is no

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scheme of that kind that the people of Scotland want. What, through their Representatives in this House they have twice decided that they want is not any more tinkering with the Establishment. What is wanted is the severance of all connection between Church and State, perfect religious equality among the people, and the appropriation of the endowments, now monopolised by one sect, to public uses, careful regard being had to all vested interests. And, Sir, with the view of again testing the feelings of this House, and especially of the Scottish Members, on that question, I beg to move the Resolution that stands in my name.

*Amendment proposed,*

To leave out from the word "That" to the end of the Question, in order to add the words, "In the opinion of this House, the Church of Scotland ought to be disestablished and disendowed,"—(*Dr. Cameron,*)  
—instead thereof.

*Question proposed,* "That the words proposed to be left out stand part of the Question."

\*(9.40.) MR. ESSLEMONT (Aberdeen, E.): I rise with some diffidence to second the Resolution which has just been moved by the hon. Member for the College Division of Glasgow. It is not to some of us a new subject. It so happens I was one of a deputation which waited on the noble Lord the Member for Rossendale (The Marquess of Hartington) when he visited Scotland and made the first official declaration in regard to Disestablishment, and it may not be out of place that, as the proposer represents one of the largest cities in Scotland, the seconder should be the Representative of one of the largest counties. Now, I claim to approach this subject very dispassionately. It so happens that in my own constituency there is a large majority of electors belonging to the Church of Scotland, and it is quite a mistake to believe that the feeling in the Church of Scotland is unanimous against Disestablishment. I have the honour to have among my strongest supporters elders and office-bearers of the Church of Scotland. But although we approach this subject dispassionately, we approach it none the less earnestly. It is not my intention to go into statistics. Were we to go into statistics, and were we to prove

that there is in Scotland a large majority in favour of religious inequality, it would, in my opinion, be a stronger argument against that majority imposing on the minority their religion, or any liabilities in regard to it. I have all my life belonged to a denomination which dates back 150 years, and has always held that the religious vitality of the Church itself is a perfect security for its temporalities. We can depend, and do depend, on our most resolute faith in the goodwill and feelings of the people to maintain the Christian communities to which they are attached. On the present occasion we are asked to make merely a pious declaration of our opinions, and are not entering upon legislation. But, in our view, that is both necessary and right. A subject of this kind ought to be approached with caution. We ought to look at the interests of all concerned, and I believe it would be in the interests both of those in favour and those against Disestablishment that we should have the fullest and freest discussion of this subject before we come to legislation. It is to some of us a matter of very great interest that the right hon. Gentleman the Member for Mid Lothian, to whom we look as a Scottish Member to give us some declaration on the subject, has already in the Parliament of 1885 given it as his opinion that at that time this subject was not ripe for legislation. But that is no reason why we should not discuss it at the present time, in prospect of legislation in the future. Now, although we have several Amendments on the Paper they are all the same in substance. The Member for the Glasgow and Aberdeen Universities declares in his Amendment that there is no reason, as regards either the present position of the Church of Scotland or the wishes of the people of Scotland, which calls for our interference. I put this proposition to my hon. Friend: that it is not for us to show that there is any call on our part to interfere; but it is for my hon. Friend to show that a minority of the people of Scotland should have for their own disposal large funds which belong to the whole people. There is one thing to which I think attention should be called. Before the Disruption the Church of Scotland came to the Legislature and called their atten-

tion to the growing population in the cities, for which there was no temporal provision made in that Church. The Legislature said to them, even so long ago as 1838, that they were not prepared to extend these ecclesiastical privileges in Scotland. Having this stated to them, it was necessary that provision should be made for those for whom the Church of Scotland in the disposal of her endowments made no provision; and when the Church of Scotland send out their statistics—as they are doing now—they always conceal from the public the important fact that where there have been two or three Chapels of Ease or *quoad sacra* churches established, the central churches have never gone the length of what they declare to be their own convictions, and which I think they would do if they had their own convictions as deeply as they profess to have. If it is essential for the cause of religion in Scotland that the parish churches should be endowed, why does not the Church recognise the principle of distributing the endowment with the other Churches belonging to their own denomination? The hon. Member for Peebles (Mr. Thorburn) brings forward a somewhat different Amendment, in which he says that—

“As the disestablishment and disendowment of the Church of Scotland has not been put before the people of Scotland as a test question, this House declines fundamentally to disturb the present ecclesiastical arrangements in that country.”

Now, what does my hon. Friend mean by that? Do the upholders of the Scottish Establishment really seriously propose to this House that any other means should be taken to ascertain the wishes of the people of Scotland than by going to the ballot-box? If seems to me if our friends are prepared to say that we should take some exceptional *plébiscite* different from the ballot-box, they give up their whole case because they fear the tribunal. I do not propose to follow the arguments used in the Amendments any further; but I do notice that it is being constantly stated, and those who favour Disestablishment are reproached by being told, that we have no mandate from our constituents. [“Hear, hear!”] In response to the feeble cheers I hear from the benches opposite, I would ask, have the Party opposite any mandate? What is the mandate? Was

it not the whole argument at the recent Election that this matter should be left alone during the present Parliament? ["Yes" and "No" from the Ministerial Benches.] There seems to be a difference of opinion on the point among the supporters of the Establishment, which I leave them to settle among themselves. Who is to blame for breaking the truce? The hon. Member for Inverness was the first to introduce a Bill on this subject, while the hon. Member for the Universities of Glasgow and Aberdeen is every year bringing in fresh legislation. What right, then, have our friends to say that those who now favour Disestablishment disturb the peace of Scotland and break the solemn promise given at the last Election? I claim, however, some consideration for the hon. Member for the Universities of Glasgow and Aberdeen, whom I have frequently followed into the Lobby on educational questions. My hon. Friend was elected by the University vote and although the ministers of the Church of Scotland are constantly telling us that they approach this subject from no Party point of view, out of 310 clerical votes only 15 were given for the Liberal candidate. Does my hon. Friend ask that the endowment and establishment of the Church ought to continue on the ground of its being the Church of the majority? If that is the argument, what have we to say to the Roman Catholics in Ireland, who are in a majority in that country? If we are not to take the numerical strength, are we to take the purity and true religion of the Church? If so, who are to be the judges? Is the House of Commons to be the dictator, and, if so, where is the spiritual independence which has been the glory of the Presbyterian Church in ages past? Now, take another argument. Our opponents say if there is no endowed Church the people in certain districts will be destitute of religion. What is the ground for saying that? The poorest districts of Scotland are the Highlands. Voluntary churches support the whole of the Highlands almost, and the Church of Scotland spend £40,000 a year on congregations, the average membership of which is 5½. It is not true that those who want the Disestablishment of the Church desire to divert the endowments. The claim is that the money belongs to the Church,

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and that the Church is the Church of the people. The Established Church is upheld by Parliament out of public funds, and every one is agreed that not a penny of that money should be diverted. All we want is that the money shall be applied to some universal purpose, of which all parties may partake alike. On a previous occasion the Lord Advocate said that the question was merely one of envy and personal jealousy. I am not sure upon what foundation this statement is based by the right hon. Gentleman, because our claim is that the envy and jealousy is largely created by the disunion which exists in the Presbyterian Churches of Scotland, and the only means of uniting that Church is by the Disendowment and Disestablishment of the Established Church. Instead of this attitude being assumed in a spirit of jealousy and envy, I claim that it is assumed in the interest of true union, and to put an end to all feeling of jealousy. The learned Lord Advocate made another statement, which was very remarkable. He said the temporalities of the Church of Scotland were "an increment of spiritual means." I confess I have not been able to come to any conclusion as to the meaning of that statement. I have got it from *Hansard*, and if the right hon. Gentleman has been misreported I shall be glad to hear any correction. Dr. Chalmers, in a remarkable utterance, has said that the Church might cease to be an Establishment, but that in all the high matters of sacred and spiritual jurisdiction she would be the same as before. I put the opinion of the great leader formerly of the Church of Scotland, and later of the Free Church, against the opinion of the Lord Advocate on this point. We are asked whether Disestablishment would promote union. We are aware that two proposals have been made—one of levelling up, and the other of levelling down. The first proposal has been found to be impracticable, and union on that basis has been declared impossible. It is, therefore, left to us to seek union on the basis of Disestablishment and Disendowment. I appeal to the House to give serious consideration to a subject which is causing great irritation and great injustice in Scotland. I would ask whether the present is not a great opportunity of effecting Christian union among the religious denominations

of Scotland. At no previous period has there been such a disposition to meet the Church of Scotland fairly, and to consider her great history and her good work. We are ready to meet the Church of Scotland on any terms which may be considered fair and just in the interests of Scotland, and I beseech hon. Gentlemen opposite who have been bound so long to the temporalities of that Church to trust to the free-will offerings of the people, having no fear that the Church will not maintain its cause without State connection and without State or patronage endowment. I have great pleasure in seconding the Motion.

\* (10.6.) MR. J. A. CAMPBELL (Glasgow and Aberdeen Universities): I must oppose the Motion just moved and seconded. I recognise the friendly spirit in which my Friends opposite have referred to me; and I hope that, though I shall be obliged to speak somewhat decidedly on the opposite side, I shall not be less friendly in my remarks than they have been. I must demur altogether to the account given by the Mover of the Motion of the nature and causes of the Disruption movement in 1843. The controversy at that time was not as to whether there was or was not a spiritual Headship of Christ, but whether or not it had been invaded by the Courts of Law; and the position taken up by the majority of the Church was confirmed by decisions in the Courts of Law afterwards in quieter times, which fully established the spiritual independence of the Church within its own province. Then my hon. Friend gave a somewhat fanciful account of the nature of the Church's action in regard to the passing of the Act for the abolition of patronage. That Act was not passed for the purpose of inducing desertions from the Free Church, but in order to relieve the Church of Scotland from a defect under which it had long suffered. The Church had always protested against the system of patronage. The controversy was not as to whether there should be patronage, but how patronage was to be modified or got rid of. Parliament never said that the Church, in passing what was called the Veto Act, had done a thing that was in itself wrong or inexpedient or objectionable, but simply that it had done a thing it had no power to do. I claim that, the Church of Scotland has never

said anything against the work of its neighbours, or attempted to interfere with that work or refused to recognise the good work of its neighbours. My hon. Friends have both twitted me—[“No!”]—well, they have referred in a facetious and not altogether flattering manner to what they regard as inconsistency on my part in two different lines of action—firstly, in opposing this Motion; and secondly, in carrying through the work of the Educational Endowments Commission. With regard to extending the benefits of her endowments, the Church of Scotland has repeatedly and in the most generous and decided manner invited the other Churches to suggest some way in which they might unite with her, consistently with her character as a National Church, to share in the work of the National Church, and share in the endowments of the National Church. My hon. Friend said that the Educational Endowment Commissioners have interfered with existing arrangements, and introduced new systems. We did so because we were commissioned to re-organise the endowments, so as to carry out better the intentions of the founders and to make the endowments more useful considering the changed circumstances of the time. On the same principle the Church has also sought to make her endowments more useful; but if she gives up the principle of a National Church, she will be going directly in the teeth of the intentions of the pious founders of these endowments. My hon. Friend the Member for East Aberdeen (Mr. Esslemont) has asked me whether I would continue the endowment and establishment of the Church of Scotland on the ground of it being the Church of the majority of the people, and if so, whether I would extend the same principle to Ireland and other places. The Church of Scotland has come to us with obligations with regard to her and in connection with the other parts of the Kingdom. We have in the Church of Scotland a branch of the same great Protestant Church as the Church of England. We have in Scotland a Church not out of sympathy with the Church of the majority in England, but representing in Scotland the same sentiment as the latter represents in England. [“Oh, oh!”] I mean the Christian Protestant sentiment of the great majority of the

people. The hon. Member (Dr. Cameron) has quoted the opinion of Dr. Chalmers four or five years before the Disruption. I will quote a sentence uttered by Dr. Chalmers four years after the Disruption. "I can afford," said Dr. Chalmers, a few days before his death in 1847,

"To say no more than that my hopes of an extended Christianity from the efforts of voluntarism alone have not been brightened by my experience since the Disruption. We rejoice, therefore, in the testimony of the Free Church for the principle of a national Establishment, and most sincerely do we hope that she will never fall away from it."

I do not wish to tax the attention of the House any more than is necessary with statistics; but, at the same time, it may be inevitable that some statistics should be referred to. The proposal of the hon. Gentleman the Member for the College Division (Dr. Cameron) is a serious proposal. It is one which will, if carried, involve a greater change than has been experienced in Scotland since the Union. He referred by anticipation to the objections that might be adduced on the ground of the Treaty of Union. I will not dwell on the Treaty of Union. No doubt it has been interfered with in many respects, but I do not know that on that account anything that is a prominent feature of the Treaty of Union is not deserving of serious consideration. The maintenance of the Church as by law established is a prominent provision of the Treaty of Union. It has a prominent place in the Coronation Oath of the Sovereign of the United Kingdom, and I say that any proposal to abolish the Church as an Established Church under such circumstances ought to be approached with consideration and care. I hold that to justify this Motion there ought to be distinct proof that the people of Scotland wish the Church to be Disestablished and Disendowed, and that there is something in the position of the Church to justify such a wish. I deny that there is any proof of either. As to the wish of the people of Scotland, we had an indication of it a few years ago, when shoals of Petitions were sent in to this House against Mr. Dick Peddie's Disestablishment Bill. There has been no change of sentiment in Scotland since that time. I may also refer to the very significant declaration made by the electors of Mid Lothian, who, to the number of 67 per cent., signed a declara-

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tion that they were opposed to the Disestablishment of the Church of Scotland. The Disestablishment Council of Scotland have circulated, to some extent, a printed statement in this House. Neither I nor any of my Friends received a copy of it, and it was only through the courtesy of an hon. Friend opposite that I now have a copy of it. That document states that, "The people of Scotland have long demanded redress," from having an Established Church. When and where have the people of Scotland spoken to that effect? Proofs are adduced in the statement, but they are from ecclesiastical and political sources alone. The Synod of the United Presbyterian Church and the General Assembly of the Free Church are cited as having passed resolutions in favour of Disestablishment, but these Church Courts are not the people of Scotland. Nor do they represent all the members of their Churches. We know that many Free Churchmen are strongly opposed to Disestablishment; and as to the United Presbyterian Church, although votes have been carried unanimously in its Synod, those who have personal acquaintance with its ministers and members have been aware that there are many in that denomination who have no sympathy with the Disestablishment movement. We now have proof of this, for on the 16th ult. a large and influential meeting of lay members of the United Presbyterian Church was held at Glasgow to memorialise the Synod against the existence and action of the Synod's Committee on Disestablishment and Disendowment. It was declared at that meeting that the Memorialists held "various opinions," as by the constitution of their Church they were at liberty to do "as to the wisdom of the policy of Disestablishment and Disendowment; but that they were "at one in the belief that agitation in support of that policy by a Committee acting under ecclesiastical authority" was "inexpedient." Another proof given in the printed statement that the people wish for Disestablishment, is that at a meeting of 400 Home Rule Liberal delegates, held in Glasgow in November last, it was agreed that Disestablishment in Scotland "must be kept in the front rank of the Liberal Programme." There has thus been a resolution in favour of

Disestablishment by a certain political organisation and by certain Church Courts. But these are not "the people of Scotland." To say so is an error of the same nature, though not of the same degree, as that of the historical tailors of Tooley Street, who represented themselves as the people of England. I would ask, where have there been any public meetings in Scotland in favour of Disestablishment, for, say, the last five years? But as to the wishes of the people of Scotland, what do we know? Last year the right hon. Gentleman the Member for Mid Lothian, speaking at St. Austell, expressed himself to the effect that "The sense of Scotland had now been sufficiently and unequivocally declared" by two votes in this House. But what had the right hon. Gentleman previously said? In November, 1885, addressing his constituents in answer to a question "whether he would would take the vote on the Resolution of the Member for the College Division as indicative of the state of Scottish opinion," he said—

"If I am right in saying that every Liberal voter ought to support a competent Liberal candidate, whatever be his opinions on the Church question, then, of course, it follows that no such resolution can be accepted as conclusive, because, as I said, the men were elected on the general grounds of Liberalism and were not elected on the Church question."

So much for the Parliament then sitting. What of the present Parliament? It was elected on the question of the government of Ireland and not on the Church question. At the elections in Scotland the Church question was scarcely mentioned. It follows, therefore, that a vote on the Resolution of the hon. Member can no more be accepted in this Parliament than in last as conclusive of the opinions on this question of the people of Scotland. And what were these two votes? In 1886, out of 72 Scotch Members, 25 voted for the Motion, and in 1888 38 voted for it. On a subject upon which the Representatives had no mandate from their constituents, the vote of a bare majority is held to be an unequivocal declaration of the sense of Scotland! But it seems to me we have a somewhat better criterion of the opinion of Scotland than can be got from any vote in this House taken in that way. I refer to what happened at the last two bye-elections, where the candidates who

advocated Disestablishment were unsuccessful, and the candidates who were opposed to Disestablishment were returned. So far, then, as the evidence of elections goes, the most recent information gives the sense of Scotland against this Motion. The right hon. Gentleman the Member for Mid Lothian, in addressing his constituents in 1879, put aside the idea that there was any danger of this question being disposed of without a fair trial and a full consideration of the case by the people of Scotland. Such a fair trial and full consideration is exactly what the Church demands. The Committee on Church Interests, who are authorised to speak for the Church in this matter, have said that they would acquiesce in any method in which a decision of the people could be taken on the question by fair and honourable means, and as a distinct and separate issue. The Disestablishment Council in their statement have objected by anticipation to a *plébiscite*. The Church is not afraid of a *plébiscite*. It has never asked for one. It does not demand any particular way of taking the decision. But it claims that if the opinion of the people is to be taken, it must be taken on this as a separate question, and not mixed up and entangled with questions of Party politics. As to the position of the Church, there is no warrant for such a Motion as this of the hon. Member for the College Division. The numerical strength of the Church is undoubtedly of some importance in a question of this kind, but it is not the only thing to be considered. The question is not how many members there are in the Church of Scotland, but what proportion of the people of Scotland have any wish that the Church should be disestablished. The Church has many ardent defenders who do not belong to its communion. The Petitions the other year to which I have already referred had the signatures of 150,000 persons who were not in the communion of the Church. Still, the number claiming the Church as theirs is a question of importance, and how is the information to be obtained? [An hon. MEMBER: "Census."] A Census would give us most valuable information on that point, and I hope it is not too late yet to have a column in the forthcoming Census giving religious denominations. But it is not the fault of the



friends of the Church that such a Census was not taken on the last occasion. But in the absence of that, some approximation to precise information may be obtained from the statistics of the Registrar General. From these it appears that 47 per cent. of the marriages in Scotland are solemnised in connection with the Church of Scotland. Deducting Roman Catholic marriages and irregular marriages, the proportion of Protestant marriages solemnised by the Church of Scotland is 53 per cent. The communicants of the Church number 581,568, and those of all the other Protestant denominations 520,730, showing a majority for the Church of Scotland of 60,800. In the statement which they have issued, the Disestablishment Council venture to say that there are good grounds for calling in question the large membership claimed by the Established Church. This serious charge of misrepresentation is made upon the ground that taking the statistics of congregations of the churches in Perthshire, the numbers connected with the various churches would exceed the whole population of the county; and, coming to the conclusion that there must be a mistake somewhere, in the Church of Scotland or the Free Church or the United Presbyterian Church statistics, they assume that the fault must be with the Church of Scotland! The Church of Scotland challenges scrutiny of her statistics. The membership in the different parishes is published in the Year Book, and the accuracy of the figures can easily be inquired into; and as this case has been so directly mentioned in statements by our opponents, I, holding the position of Convener of the Church Committee on Statistics, undertake to make inquiry in any case where it is thought by any of our friends that explanation is required. The Disestablishment statement, which has been circulated, refers to the fact that the increase of Church membership, as reported last year, was not so great as in previous years; but no mention is made of the fact that this difference is due to stricter rules having been introduced in revising communion rolls. The statement compares the increase in the different Churches in the last year, but avoids the comparison of the last two or four years, which would have shown

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the following increase—for the last two years, for the Church of Scotland, 10,539; for the Free Church, 5,129; and for the United Presbyterian Church, 900; or for the last four years, for the Church of Scotland, 25,946; for the Free Church, 9,199; and for the United Presbyterian Church, 2,981. I may mention that the statistics which will shortly be published will show an increase for the Church of Scotland in the past 12 months of about 7,000. No one with any acquaintance with Scotland can doubt that the Established Church is steadily and, in many places, rapidly increasing throughout the country. The Disestablishment statement calls attention to its position in the Highlands, and gives statistics with reference to 12 parishes in which the Church membership is very small. Ever since the Disruption of 1843 the Church has been weak in some parts of the Gaelic Highlands, and the 12 parishes mentioned are the worst, that is, the weakest, of the weak places. Yet the case is not so bad as it is represented to be. Let it be remembered that these are 12 parishes out of 1,330. Then, they are all what are called Parliamentary Churches, in remote parts of the Highlands—churches for which it was very difficult for many years to get ministers, and several of them remained closed for some years after 1843. It must be remembered, too, that the figures quoted represent the number of communicants in each parish, not the number of the congregation. The significance of the distinction between communicants and congregation will be understood by all who know anything of Church life in the Gaelic Highlands. It must not be supposed that there is no Church work done where membership or even congregations are very small. The Church of Scotland is admittedly weak in numbers in the four northern counties. But even in those counties its position has been steadily improving for some years past. Turning again to the Registrar General's statistics, the marriages during the last year for which a Report is published, connected with the Church of Scotland in Caithness were 63 out of a total of 187, in Sutherland 26 out of 72, in Ross and Cromarty 44 out of 285, and in Inverness 112 out of 362. In Argyleshire

and Perthshire the Church of Scotland is more influential and numerous than the Free Church. And it is to be remembered with respect to the Highlands that, however small the congregations of the Church of Scotland may still be in some places, there is no sympathy, or very little sympathy, in the Highlands with this movement for Disestablishment and Disendowment. The United Presbyterian Church, which claims to be the most thorough-going representative of the voluntary principle, has almost no place whatever in the Gaelic Highlands. I make out only six congregations in the North Highlands belonging to that Church. The Free Church is the strong Church in that district, but it is the Free Church as founded by Dr. Chalmers and others, holding the principle of National Establishment; and the Marquess of Lorne, when a Member of this House, presented a Petition signed by 51,000 persons belonging to the Free Church in the Highlands against Disestablishment and Disendowment. Now, to have done with this question of statistics, I must notice the extraordinary error, which is unaccountable in a paper emanating from a Council sitting in Edinburgh, as to the number of churches belonging to the various Religious Denominations. The Church of Scotland is represented as having only 1,325 churches; but the fact is that it has 1,330 parish churches alone, 174 non-parochial churches, and 146 mission stations, or a total of 1,650. Then this statement makes a more serious charge against the Church than any I have yet mentioned, with regard to the appropriation of money belonging to the poor. This charge refers to the ordinary church-door collections. These are now applied, since the Poor Law Act was passed, by the Kirk Sessions—the office-bearers of the different parishes—to aiding poor persons, so far as they see fit, and to the general expenses of the Parish Church, so far as not met by the assessment on heritors. A Report by each Kirk Session is annually sent to the Board of Supervision, as is required by statute, but the Board does not interfere with the discretion of Kirk Sessions. The congregations, who give the collections, know perfectly well how the money is expended by the Kirk Sessions, and we know that if it were ordered to be expended in the relief of

the poor rate there would immediately be an end to the collections. There is no misappropriation of money where it is applied as the donors understand and intend. This “flagrant misappropriation,” as the statement calls it, is a gigantic mare’s nest. The Established Church is the Church of the poor. The parish minister is there for the purpose of giving his services to rich and poor alike, and the poorest in the congregation have the same claim upon him as the richest. Reference has been made to the public endowments of the Church, and the question has been raised as to whose patrimony these are. They are not the patrimony of the Church, but of the people, but for a particular purpose—for the maintenance of religious ordinances. They represent what has been saved of the endowments of the old pre-Reformation Church, and they are not given now at the expense of anyone. They almost all had their origin in private religious gifts, but they are now given at the cost of no one. The stipends are paid by the heritors not out of their own pockets, but from the teind, which is a burden upon their lands; and so also for the maintenance of the ecclesiastical buildings there is an assessment on the heritors, but it is no grievance to the heritors to pay this, for they inherited or bought their property subject to these burdens. It is the land which provides these endowments. These endowments are not the property of the country as a whole—they are the property of the several parishes; and it would be an injustice to propose to take the endowments of the different parishes and put them into a general fund. The endowments of a parish belong to that parish alone. But it has been asked by the hon. Member for East Aberdeenshire (Mr. Esslemont) why have not the holders of these endowments—why have not the parish ministers—divided the endowments with the ministers of new churches built within their parishes? The answer is because the money is not sufficient; the old parish endowment is not more than is necessary for the support of one man. Instead of asking the parish minister to give assistance out of his stipend, the Church has erected new parishes and endowed them by voluntary subscription. Since 1843 there have been 366 parish churches added where they

were needed. In most cases new churches have been built; but where there was a church already existing it had to be cleared from all debt, and an endowment found for it. This the Church of Scotland has done by voluntary effort without one farthing of State assistance. It is said this is an argument for voluntaryism, but it is nothing of the kind. This liberality was evoked because of the establishment and endowment principle; because these churches were to be in connection with the Established Church they were founded, and subscribers bestowed their favour on them, and they have given their favour in the form of permanent endowments. Aggression on the part of the Church, then, has been not aggression against its neighbours, but against irreligion. It is said that the Church Interests Committee under my noble Friend Lord Balfour of Burleigh is forcing Disestablishment to the front, but what the Church Interests Committee is doing is only to urge Churchmen to make sure of the sentiments of candidates on this particular question, whatever may be their position as to political parties. Is it not time to do this? Is it not necessary when Home Rule Liberal leaders have agreed that Disestablishment "must be kept in the front rank of the Liberal programme"? I suppose a reference to giving "a new lease of political life to the Tory Party" may account for this Paper not being circulated among hon. Members on this side of the House, and yet I suppose we must not say this is a political movement—this cry for Disestablishment! The plea of religious equality is put forward; and here we leave the field of Scotland for that of the wide world, and come upon really what is the main argument of the opponents of the Church—an argument which is aimed against having an Established Church anywhere. I hope our English friends will take note of this fact. Now, I grant that there cannot be absolute religious equality with an Established Church—because there is necessarily a distinction, whatever it may amount to, between a Church that is recognised and a Church that is not recognised by the State, as the Established Church. But this inequality, although it is inevitable, need not be serious or amount to a grievance to any

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one. It does not amount to a grievance to any one in Scotland. If there are privileges connected with the Church that press unfairly on non-Established Churches and amount to an injustice, let them be removed by all means; but I know of no such injustice in Scotland. The only thing in Scotland that is a grievance in connection with the Established Church which I can think of at the moment, is the incidence of the ecclesiastical assessment for Church and Manse buildings upon feuars. It is a grievance, because feuars did not expect to be made liable to the assessment. It is only by a comparatively recent decision it is found it must be so. An effort has been made to relieve them of that grievance, without injury to any one, but assistance has not been received from the Opposition. From the way in which the subject of religious equality is sometimes spoken of it would almost appear as if dissenters from the Established Church think it a hardship to be recognised as Dissenters. Now, I do not understand this. They dissent because they are more scrupulous than members of the Church, in their view of some points of doctrine or practice, and they ought not surely to object to this being known. They glory in their position, in one sense, and yet we find them sometimes resenting the recognition of their position. But if we are to have absolute religious equality, a good deal more will have to be done than the Disestablishment and Disendowment of the Church of Scotland. We have a Protestant Monarchy and a Protestant Constitution. We recognise our National Protestantism as a guarantee to us of our civil and religious liberty. Even our Roman Catholic fellow-countrymen are protected in their liberties by our Protestantism. It is in their interest as well as in that of others that our Protestant Constitution be maintained. Our laws, our State, our public life are based on the recognition of the Christian religion; but all this will have to be surrendered if absolute religious equality is to be our guiding principle. If, then, we are not prepared to dispense with an Established Church as connecting the State with Christianity, how does the case stand in Scotland? I put aside, for the moment, all arguments connected

with the past—with the historic past—and ask attention to present circumstances alone. This Church has the largest membership of any in Scotland. It represents, both as to religious creed and as to Church government, the opinions of some 80 per cent. of the Scottish people; and it enjoys the acquiescence and goodwill, in its position as an Established Church, of the great body of the people. It is, therefore, not a Church to be disestablished and disendowed. We have arrived this year at the bi-centenary of what is known in Scottish Church history as the Revolution Settlement; surely the occasion is not to be celebrated by passing such a Resolution as the one now before the House!

(10.55.) MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): The hon. Gentleman who has just sat down has thought it worth while to refer to a declaration of mine which I will presently allude to. He has already referred to a declaration made, as he stated, by the electors of Mid Lothian, showing the majority of constituents in that county, which he stated at 67 per cent., to be adverse to the disestablishment of the Scotch Church. If my memory serves me, that declaration did not embrace all the parishes of the county; but certain of those parishes were left out on principles which no doubt approved themselves to the promoters of the declaration. I will not enter upon a discussion of that declaration, because an attempt to appreciate it with exactitude might lead me into invidious remarks. What I say, in answer to my hon. Friend, is that I shall be most happy to answer the electors of Mid Lothian for my conduct in respect to that declaration, and for the vote I am about to give to-night; and not only so, but I shall be thankful to Her Majesty's Government, and to the hon. Member if he uses his influence with Her Majesty's Government in that direction, if they will give me that opportunity at the earliest possible moment. Then the hon. Gentleman will receive the fullest satisfaction, I have no doubt, at all events with regard to that portion of his speech. The speech of the hon. Member has

suggested, to my mind, this question—Upon what ground of principle is the Established Church of Scotland defended? The whole of his speech has consisted of observations in detail, showing how respectable and creditable the Church of Scotland is, in the activity and devotion of its members, which no one will dispute, or showing that some particular piece of evidence alleged by the promoters of this Motion is of smaller value than they have esteemed it to be. In point of fact, the hon. Gentleman has not looked at the crop in the field, but at the gleanings he could pick up. He has endeavoured to construct a case out of almost infinitesimal particulars on which to justify the continuance of the national establishment. It was stated, I think well, by my hon. Friend the Member for East Aberdeenshire, that the burden of proof in a case of this kind rests with those who maintain the principle of establishment. ["Oh, oh."] Is it not so? ["No, no."] Is it not so? ["No."] Then it is contended that, when one religious body out of a number is invested with exclusive possession of national treasure for the purposes of religious worship, that one privileged religious body is under no obligation whatever to show reasons for the preference. That is the doctrine of those Gentlemen who cry "No." I am not saying whether they show reasons or not; but I am saying it is their duty to show reason. What are the reasons upon which the maintenance of a religious Establishment may be defended? I am not going to argue this question on abstract principles. Many Members of this House lay it down as a first principle of politics that in no case can the maintenance of a religious establishment be defended. I do not intend to argue the question upon that ground, and I leave that principle apart, without either affirming or denying it. I look at this case as a case to be decided upon its own merits with reference to the wants and the circumstances of Scotland. Now, Sir, I ask what are the grounds upon which the existence of a religious establishment can be pleaded? As far as I know they have always been these four—either that the religious establishment was performing some special religious work in the country—for

instance, such as the care of the poor—which no other body could perform, or that it was testifying to the maintenance of certain truths and doctrines which no other religious body could so effectually maintain, or that it was the Church to which the decided majority of the people belonged, or, finally, that it was the Church to which either the decided majority of the people belonged, or, even without belonging to it, yet wished to maintain in the position of the National Church Establishment. Those are the arguments which have often been pleaded, and which possibly might prevail with a majority of this House for the maintenance of our interest in a religious establishment. But how can any of those four arguments be maintained in the case of the Church of Scotland? That is the question which I propose to try. It is idle to say that the Church of Scotland is doing good work. It is a body composed of men who, as far as the laity are concerned, may, I believe, bear a fair comparison with the members of other religious communions, and as far as their clergy are concerned, everybody acknowledges the merits of their devotion to their duties; but those qualities the Church of Scotland shares with all the other religious bodies known to exist in Scotland, and consequently they are qualities which form no ground whatever for the preference of an exclusive position. As far as the poor are concerned, in my opinion it would be idle to contend that the Established Church of Scotland was concerned with the poor of that country in any sense except in that important sense in which every religious communion of the country is concerned with them by exercising a most beneficial influence, so that that ground for preference for the Established Church does not exist. Well, Sir, as regards the question of testimony to particular truths, which I refer to rather as what has been historically available in other times than as a topic which would very much avail at the present period. It was greatly urged in the case of the Church of Ireland that it was necessary to maintain it as a protest against the real or supposed influence or the possible influence of the Roman Catholic Church in that country. Now, Sir, is the

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Established Church of Scotland to be maintained upon the ground that it is the only and the essential defender of the principles of the Presbyterian religion in Scotland? Why, Sir, it would be ludicrous to adopt such a plea in defence of the Established Church of Scotland. If there are in Scotland to be found those who in a peculiar and pre-eminent sense are the representatives of the Scottish Reformation and its principles, they are to be found, not in the Established Church of Scotland, but in the Free Church of Scotland and in the United Presbyterian body. These are the persons among whom the distinctive principles of the Scottish Reformation are maintained; and I was surprised when I heard the hon. Gentleman opposite quietly stating that the Church of Scotland was really in substantial correspondence with the Church of England as to the position it occupied in the religious world of that country. The hon. Member seems to blot out from his recollection everything that happened between the time of Mary, Queen of Scots, and the time of the Scottish Union. What were the relations between the Presbyterians of Scotland and the representatives of the English Church in Scotland during the reign of Charles II., at the period of the Revolution and at the period of the Union? Why, Sir, the history of this country—a highly honourable history in many respects of free and courageous assertion of conscientious convictions—utterly contradicts the statement of the hon. Gentleman, and testifies to the sharp antagonism which at that period prevailed between the representatives of the Church of England and the genuine and thorough-going Presbyterians of Scotland. I will not enter into the question whether in every case the existence of an Established Church is a grievance to those who do not belong to it; but I am inclined to think it is not altogether unreasonable if the members of the Free Church of Scotland and of the United Presbyterian body regard it as a grievance in Scotland; and on these two specific grounds. In the first place, it is they who went out into the desert, so to speak, relinquishing all the temporal advantages of Establishment, and undertaking all the responsibility at a moment's notice of provision

for themselves, not because they differed from the historical basis of that Presbyterian Church, but because they were anxious to maintain it intact in its full force and integrity; and, secondly, because in 1874 a measure was passed in relation to Church patronage the whole effect of which could only be—and I am bound in honesty to say that in my belief the intention only was—to draw back piecemeal and man by man as far as possible from the Free Church and the United Presbyterian body—and from the Free Church particularly—those whom in 1843 they had compelled to undertake the responsibility of provision for themselves. According to modern principles, perhaps the fairest of these arguments to which I have referred for an Established Church is that it is the Church of the decided majority of the people of the country. But is the Presbyterian Church of Scotland the Church of the decided majority of the people?

\*MR. J. A. CAMPBELL: Certainly.

MR. W. E. GLADSTONE: Then you maintain that it is certainly the Church of the decided majority?

\*MR. J. A. CAMPBELL: Yes.

MR. W. E. GLADSTONE: I admire the boldness of that assertion. I hope the hon. Member will have an opportunity of producing his arguments and proofs; but what I have observed is this: that as we have heard of those who are more Royalist than the King and more Popish than the Pope, so here is a Gentleman, sitting on the benches of this House, who claims for the Established Church of Scotland, and who offers to prove a great deal more than the representatives of that Established Church claim for themselves.

SIR A. CAMPBELL (Renfrew, N.): The Presbyterian Church.

MR. W. E. GLADSTONE: I beg your pardon, I said the Established Church. Surely no hon. Gentleman supposes I am saying the Presbyterian Church is not the Church of the majority. On the contrary, it has been urged that if you accede to the Motion of my hon. Friend you will lay the foundation for reuniting in one religious communion

three-fourths of the people of Scotland. Then it is admitted that the Established Church of Scotland is in a minority. ["No."] If it is not admitted by hon. Gentlemen opposite it is admitted by the representatives of the Established Church, who have circulated among us for our information a statement which represents their case, as it was very natural they should represent it, in the most favourable form. What is that statement? It is a statement of the number of marriages according to the rites of the different religious communities in Scotland, and, according to that statement, the marriages performed according to the rites of the Established Church of Scotland are a trifle under 47 per cent. of the whole. I understand the hon. Gentleman to maintain that according to the laws of his arithmetic 47 per cent. is more than 53 per cent. Because, unless that is so, by the assertion of the champions of the Established Church it is the Church of the minority of the population. I am bound to say that, in my opinion, these statistics represent the case too favourably for the Established Church. If the same figures were taken for England I think you would find that between three-fourths and four-fifths of the population appeared by the marriage statistics to belong to the Established Church. Every one knows that marriage statistics represent on behalf of the Established Church more than is her due. It is admitted that the Established Church of Scotland is the Church of the minority. How is it with regard to the fourth of the grounds I have referred to—namely, that although it may not represent the religious convictions and associations of a majority of the population, yet it does represent the wish of a majority of the population that it should be maintained as the Established Church of the country? In my opinion, that is a question which we ought most carefully to examine and probe to the bottom. My noble Friend the Member for Rossendale (the Marquess of Hartington) was the leader of the Liberal party in 1877, when he used these words in this House, and was received with cheers when he used them:—

"All I can say is that whenever Scotch opinion, or even Scotch Liberal opinion, is

fully formed on this subject I think I may venture to say on behalf of the Liberal Party as a whole, that they will be prepared to deal with the question."

After my noble Friend had made that declaration I took an early opportunity of expressing my full concurrence with him in the spirit of that declaration. In the spirit of that declaration I waited until the evidence in the case, according to the best of the powers I had of testing it, should come to be clear and conclusive. I think, Sir, we have now reached that point. I cannot doubt that the declarations of the people of Scotland on this question are sufficient to leave no doubt in the minds of Members of this House, if they believe in the Parliamentary representative system under which the country is governed. It is all very well for the hon. Gentleman who has just sat down to refer to Petitions presented, and to pass by entirely the question what is the sense of the regularly chosen Representatives of the people of Scotland; but I contend that the greatest weight is due to the opinion of Scotland, Constitutionally expressed. It appears to me that whatever view Gentlemen may take of the movement, be it a great or a small one, that now exists in Scotland with the view of establishing what is termed Home Rule in that country, whatever may be the view each individual takes upon it, it ought not to bear upon, and hardly can have a bearing adverse to the Motion of my hon. Friend. If we are favourable to the establishment of Home Rule in Scotland we will vote for my hon. Friend, but if anyone be opposed to the establishment of Home Rule in Scotland, or if anyone desires to suspend his judgment, at any rate until he has full evidence, if he does not desire to stimulate unnaturally and fictitiously the progress of this Home Rule movement in Scotland, the wisest thing he can do is to give large scope and large weight and influence to the answer the Scotch people give in deciding Scotch questions. I am glad to see the Chief Secretary for Ireland in his place, because I wish to make an observation or two upon a speech he made upon this subject on a former occasion. He then brought forward and paraded before us what he thought would

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be a very effectual bugbear to deter us from the course we wished to pursue. He said—

"If you are prepared to urge that Scotch questions shall be decided according to Scotch opinion, you must be prepared to urge that English questions shall be decided according to English opinion. And if you act on that principle, where will you, the Liberal Party, be then? For since 1868, you have never had a Liberal majority in England."

Such is the statement of the right hon. Gentleman—a most imposing and terrifying statement, most effectual and admirable if it had had the slightest basis in fact. It is the practice of the right hon. Gentleman to assume to be true that which he wishes to be true, unless he happens to know it is false. This is entirely false. He paraded before us this most amazing proposition—that from 1868 onward there had been a majority of English Members opposed to the Liberal cause. How does that stand? It stands thus. Whenever we have had a Liberal majority in the aggregate, we have had a Liberal majority in England also. There have been five elections since that date. In three, there have been Liberal majorities; and in two, Tory majorities. In the Parliament of 1868 there was a Liberal majority, and there was a Liberal majority in England of 42 voices. In the Parliament of 1880 there was a Liberal majority, and there was a Liberal majority in England taken alone of 79 voices. In the Parliament of 1885 again, there was a Liberal majority, and there was a Liberal majority in England of 47 voices. Therefore, Sir, I may say two things. In the first place, the right hon. Gentleman little knows the material of which the Liberal Party is made if he thinks that through fear of damage to their Party interests in England they are prepared to impose false principles on Scotland adverse to the fair consideration of their claims. This was an assertion which, if it had been a fact, would, no doubt, have been very telling, but it is pure fiction invented in the ingenious brain of the right hon. Gentleman. Well, that was the case with regard to Liberal opinion in England. What is now the state and what has been the progress of recent opinion in Scotland? The hon. Member who has just sat down says that on

account of two Divisions in this House I intend now to cease from the course of abstinence which I pursued in 1886 and 1888, and vote in favour of Disestablishment. It is quite true that I do so intend to vote, but it is not true that I look simply at the fact that there have been two Divisions in this House. Let me point out to the hon. Member that there is a great deal more in the circumstances before us than the mere occurrence of two Divisions. What were these two Divisions, and what are the other signs now before us as to the movement of opinion in Scotland? In the first place I will say it is quite true that, in 1885, a kind of truce was established, and it was understood in the Parliament of that year—so far, at least, as the Metropolis and the metropolitan county were concerned—it was quite understood that the Returns that might be made were not to be taken, so far as some of us, at least, thought, as giving decisive indications in regard to the question of Disestablishment in Scotland. That truce was brought to an end, at least, in my judgment, and I believe in the judgment of many others, by the able action of the hon. and learned Gentleman the Member for Inverness, who declined to recognise the *status quo*, and brought in a Bill regarded by us as of an aggressive character, thus entirely putting an end to any understanding of that kind. However that may be, with the Parliament of 1885 the whole matter passed away. Since then, it is true, we have had two Divisions, and are to have the third Division to-night. But have we nothing before us but the fact that there have been two Divisions? In the first place we have this—that in both those Divisions a majority of Scotch Members voted in favour of Disestablishment. How do the figures stand? They are capable of being presented shortly and simply. In the Division of 1886 the Scotch Members voting for Disestablishment were 24, those voting against it 16, and 32 were absent. That is to say, that three to two of Scotch Members voted in favour of Disestablishment, and nearly one-half were absent from the Division. That is my case, because my point is this—not only that the opinion of the Constitutional Representatives of Scotland is in favour of Disestablishment, but that

it is increasingly in favour of it; that there is a regular and steady movement in Scotland, the evidence of which cannot be mistaken, all tending in that direction. That was in 1886. What happened in 1888? There declared for Disestablishment in the Division of that year 40 Scotch Members, against it 20, and there were absent 12. Instead of there being three to two, the numbers voting in favour of Disestablishment were two to one, and instead of one-half, or nearly one-half, of the Scotch Members being absent, we had exactly only one-sixth of them absent. And then what was the case with the gross majority in this House, composed, I need not say, of English Members, voting down the sense impressed on behalf of Scotland, supported by Wales and by Ireland? The gross majority in 1886 was 112; in 1888 it sank to a majority of 52. Was there no other indication of opinion in Scotland at that time? We have seen that the Scottish majority increased, that the number of Scottish absentees diminished, and that the aggregate majority diminished. Are there no other indications? Yes, the current elections. The hon. Member says there were two elections in Scotland, and desires us from those two Divisions to understand what was the opinion of Scotland. Let him enlarge his vision. Instead of keeping in view the two elections which, as he truly says, have taken place in Scotland, let him take into view the 14 elections which, excluding one or two Ministerial re-elections, constitute, I believe, the whole of the Scottish elections since 1886. Out of these 14 elections, three persons have been returned to vote against Disestablishment and 11 to vote in favour of it, and not accidentally returned to vote in its favour, but when the question has been fully ventilated and discussed and brought in every possible and imaginable form before the Constituencies. I must own that it does appear to me that there is no doubt at all, either about the condition of opinion in Scotland, if we are to adopt the usual constitutional practice of ascertaining what that opinion is, or as to the direction in which that opinion is moving. I think it quite worth while to mention another indication which is to be drawn from the



action of Her Majesty's Government themselves, or, at any rate, from the action of the body which the Government has appointed. It will be remembered that we made an endeavour last year to obtain in the Scotch Universities Bill a change in the law with respect to theological tests; that change in the law was refused by Her Majesty's Government, who, notwithstanding, so far recognised the circumstances of the time that they made an arrangement under which a Royal Commission was to be appointed for the consideration of the subject. That Royal Commission has sat, and I believe that it has taken the bulk of the evidence that it is to take. I believe I am not wrong in stating that in Scotland the confident anticipation prevails that the Commission will recommend the abolition or the essential alteration of the theological tests. I mention that, because I do not intend to quote prejudiced opinion on the subject. I only quote what I understand to be the general opinion in Scotland with respect to this question. I only mention that as another indication of the movement in Scotland and the state of Liberal conviction upon this subject. The hon. Gentleman says, "Oh, no, there ought to be a dissolution on the question. There ought to be a specific reference of this question, unmixed with other questions." Now, Sir, is that a rational statement? That is a demand for a dissolution of Parliament, and for an election at which the people are to consider nothing except the question of Establishment in Scotland; 40,000,000 of people inhabiting these islands are to elect a new Parliament and grant a new lease of power for seven years, in order to determine whether in a country in which the voluntary system is more perfectly organised than in any other country, except, perhaps, America, 18,000 people are or are not to continue to enjoy two or three hundred thousand a year! I do not think, when the hon. Gentleman sees his own proposal described in the light of fact, he can suppose it is to be entertained for a moment. We know perfectly well, Sir, what the opinion of the people in Scotland is; and if we believe in Parliamentary Government, if we believe in the representative system—and I do not think there can be any

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serious doubt as to the hon. Gentleman's belief in them—we must take, and can only take, the deliberate and repeated acts of the legitimately-chosen Representatives of the people as conclusively showing the conviction entertained by the people. I do not believe there ever was a country where the question of Disestablishment is so simple as in Scotland, or where it could be introduced so entirely without shock or serious trouble. The hon. Gentleman said it would be the greatest change since the Union. Now, Sir, I join issue with him on that point, and I claim his assent as a fair-minded man to this proposition—that it would not entail one-tenth of the violence of change that was entailed by the disruption of 1843; 700,000 people in the Church of Scotland, and the majority of ministers at that time, at once abandoned the advantages of Establishment, gave up their churches, gave up their schools, gave up their colleges and their mansees that sheltered their wives and children, and walked out trusting in Providence to find a substitute for them where they could. What violence of change at all to be compared with that would take place in this instance? There may be differences of view as to the spirit in which changes of this kind should be carried into effect, and I have a very decided opinion that they ought to be carried into effect with a considerate and tender hand. I may refer here, I think, to the Disestablishment of the Irish Church. I do not refer to the Act of Disestablishment as it finally passed, because that Act contained concessions to the action of the House of Lords, which certainly upon their own merits I could not then pretend to justify; but I take the Act as it passed this House originally, and I say that that was an example of fair and considerate treatment; and I hope when the time comes, when in some other part of the United Kingdom the same principle may be applied, it may be applied in a similar temper and in a similar spirit. I think equity dictates that method of procedure, and I am quite sure that policy strongly and powerfully recommends it. It is easy to show in abstract argument that those enjoying an exceptional privilege do not derive from that enjoyment any claim for the

future; but in this country we have acted in ecclesiastical matters and in all civil matters, in every detail of the Public Service, on the opposite principle, and the possessors of a privilege, when that privilege is recognised as unjust or impolitic, and when accordingly a legislative sentence has been pronounced upon it, have always been considerably and generously treated. What is the case of the Church of Scotland? I believe there is no case so simple as the case of that Church. People talk of separating disestablishment and disendowment; but without disendowment, disestablishment would be an actual shadow. There is no secular power, there is nothing that can be grasped, belonging to the Church of Scotland except the advantages of stipend. I make no doubt that private endowment would be recognised. It would, perhaps, be a generous thing on the part of the Free Church and the United Presbyterians, if they consented to forego a share in the private endowments, given in great part by members of their own body before the Disruption. Although they might in argument make a very fair and legitimate claim to them, I nevertheless believe that the liberal and generous sentiments in favour of actual possession would remain. Then there is another question—the question of the manse and fabrics—and that question is the only one known to me with respect to which even the difficulty of a couple of hours' discussion would be entailed in order to determine what should be done. The House is aware that in Scotland the fee-simple of the manse and ecclesiastical fabrics does not lie with the corporation sole, the parish, or the cathedral. The heritors now possess them, but they can only use them for the purposes of the Church, and if you take them from the heritors it may fairly be said, I think, that the heritors would obtain an immediate and fortunate relief from the contingent demands which are made upon them from time to time for the enlargement of the parochial stipends. That would be a benefit to the heritors, and it might not be inequitable that they should be called upon to surrender their title to the manse and fabrics. If that were done, it might happen, I think, that the House would do in this case what was done in the case of Ireland, and

award compensation for these ecclesiastical fabrics to the Church when disestablished, and with regard to the manse, at any rate, some fair and equitable provision should be adopted. There is no sign that a change of this kind would be attended with any difficulties. On the contrary, when it comes it will come through the recognition in this House of what is due to the claims of Scotland—through the recognition of the principle laid down by my noble Friend near me, with regard to which I have no indication as to his intention to act upon it or to cast it behind him. On that subject I have no information, but the principle is a sound, just, and good principle, and I hold myself indebted to my noble Friend for having uttered it. I need only follow him on the path which he has opened for me, and, on the unquestionable evidence which has now been placed before us in the most Constitutional form, I shall be acting upon a moderate application of this principle both of good sense and of justice, to which we must look for the satisfaction and peace of the country and the permanence of its institutions.

(11.42.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): It is impossible to exaggerate the importance of the stage which has now been reached in this question. The right hon. Gentleman has put an end to that long period of doubt and suspense during which it was thought possible to keep the peace between Radicals and good Churchmen. He has now put an end to that period of balanced ambiguity which was the state of the Liberal Party in the last 10 years. He has now taken a step which is irrevocable and irretrievable, and we shall hold him to it. This is no vague and rhetorical attachment to the principle of Disestablishment; he has shown that it is all out and dried, and that we should be the most unreasonable people in the world if we thought that so plain-sailing a question required a dissolution. He said that those enormous masses of people had other things to deal with at an election than such easy operations as this. It is cut and dried, and he has told us that he has so far worked out the

problem—worked it out in the dark—that it is a question which would take a couple of hours' discussion, and accordingly the people of Scotland have notice to-morrow morning that their affairs have been settled for them, and that this great question, which would require the most earnest consideration of the nation, is now merely to be put in train when that happy opportunity shall arise. The right hon. Gentleman has discussed the question of Scotch disestablishment for the first time for a great many years on its merits, and he proceeds to call upon the supporters of Scotch Establishment to show cause for the continuance of its existence. Why was not that method of argument adopted until to-night? He has put a number of questions as to whether the Scotch Establishment occupies a peculiar position as to the care of the poor, as to whether it bears testimony to particular truths, and as to whether it is the Church of the majority. All these are old-standing questions. They were present in the General Election in 1880, in which he took so large a part; they were again present in 1885, and not once was this aspect of the question mooted. But, further, the right hon. Gentleman has had occasions for telling the people of Scotland what his views were as to his duty and their duty on the subject. In 1885 he went down to Scotland, and with the greatest amplitude and exactness he defined his position, and I must recall his attention to what he said on that occasion in reference to the mandate which the Parliament of 1885 was to receive on the subject. He says now that he founds upon the legitimate and responsible position of Parliament as constitutionally representing the people of this country on all subjects. But in 1885 he told the people of Scotland that they were safe in sending supporters of Disestablishment to Parliament, because Disestablishment was not to count in Parliament. In those days the Liberal Churchmen took serious alarm, and so many opponents of the Church were being accepted as Liberal candidates that there was a serious revolt in the Church. The right hon. Gentleman went down to Edinburgh and announced that his errand was to procure union in the Liberal Party, and pro-

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ceeded to point out that there was no reason for the supporters of the Church to feel apprehension on account of the supporters of Disestablishment getting into Parliament, because it was part of the contract that that question would not come on in that Parliament. The right hon. Gentleman said that a Liberal Churchman need not feel that in voting for a Liberal candidate he was in any way voting for the Disestablishment of the Church; and accordingly the right hon. Gentleman is responsible for having taken away the authority of that Parliament upon this particular question, and he is responsible for having made it impossible to quote the opinion of that Parliament on the question of Scotch Disestablishment as showing the wish of the people. But this was no abstract thesis, because that speech of the 11th of November, 1885, is practically a manual of the ethics and *rationale* of Disestablishment. The right hon. Gentleman proceeded to discuss the question of abstract Resolutions, and to discuss, if I may use the paradoxical expression, the concrete case of the present abstract Resolution. He said that in this Parliament, which was thus to be packed with persons who, being themselves Disestablishment Members, were at the same time to represent the Church, he must protest against the idea that he could support an abstract Resolution in a Parliament so constructed, and would repeat the words which he had applied on another occasion to this question of abstract Resolutions—

“Until I am prepared with a plan, and until I see public opinion reach such a point that I can make myself responsible for the plan proposed, and support that plan, I decline to raise false expectations by committing myself to an abstract Resolution.”

[*Cheers.*] Hon. Gentlemen opposite applaud that sentiment. Do they appreciate the point of it? The very reasons which show the importance and significance of supporting an abstract Resolution precluded the right hon. Gentleman and his friends from having anything to do with an abstract Resolution in that Parliament. The right hon. Gentleman says that the state of truce and suspense came to an end with the Parliament of 1885. That is a most astounding proposition. Does the right hon. Gentleman

say that any of his candidates in the election of 1886 stood upon the question of Disestablishment? If so, let him name them. But he has not only said that the aspect of affairs was altered in the Parliament of 1886 from what it was in 1885. He has put his finger on an extraordinary reason. He says that when the hon. and learned Member for Inverness brought in a Bill dealing with the spiritual independence of the Established Church of Scotland, that terminated the truce and set free the forces of Disestablishment. The right hon. Gentleman has himself referred—and I make no apology for again referring to it—to the remarkable representation which came from the constituency he honours by representing. The electors of Mid Lothian—I shall not cavil as to whether the percentage was 57 or 67—approached the right hon. Gentleman in 1885 and memorialised him against Disestablishment. He went down for election in 1886 by these men. Did he tell them that the Bill of the Member for Inverness had put an end to his obligation? Never was there a whisper in the County of Mid Lothian, or in any part of Scotland, of that most extravagant and too subtle theory. Why, if I am right, therefore, in saying that no change has taken place in 1886 in the relations of Parliamentary Representatives to their constituents, am I not right, again, in saying that this Parliament stands, in point of authority in respect to Scottish Disestablishment, precisely as its predecessor did? But I go a little further. As a matter of fact, I have defied any Gentleman to point out that he stood in 1886, as contra-distinguished from 1885, on the principle of Establishment.

MR. DONALD CRAWFORD: I did, Sir.

MR. J. P. B. ROBERTSON: Well, the exception, I almost think, in this case will prove the rule. But my challenge is this. Were the constituencies apprised that the great event brought about by the hon. and learned Member for Inverness had altered the relation of Members to their constituencies; and, if so, can any meeting or demonstration be pointed

to where that was brought home to the intelligence of the country? There is another reason which I should like, although it may seem invidious, to press on the attention of hon. Gentlemen opposite. In 1886 I did not think it was likely that any fresh test or any fresh trial would be required of the faithfulness or credulity of the constituencies. I think in 1886 it was quite enough that they had their work cut out for them to conciliate opinion in Scotland without adding this further crux of insisting on Disestablishment. But I turn from the consideration of these facts to the position which the right hon. Gentleman has now taken up. He says that he proceeds upon the clear and unequivocal declaration of opinion by the Scottish people which he has now derived. My answer, so far as that goes on the two Divisions in this House, is contained in what I have said. Neither the Parliament of 1885, nor that of 1886, had any authority to pronounce upon that question. Nay, the right hon. Gentleman himself deprived them of that authority. But the right hon. Gentleman says he does not go only on these two Divisions. Look at the other evidence. It is of the most microscopic character. He says the Parliamentary majority has increased. I will tell you why. The right hon. Gentleman at the head of the Government and his Friends did not vote in 1886. Accordingly, the absentees of 1886, released in 1888, to a large extent account for the change. If we are going to examine all this so closely let me point to a significant part of the increased majority. The right hon. Gentleman the Member for Berwickshire voted against Disestablishment in 1886, but for it in 1888. It was thought by the wicked and sceptical that the right hon. Gentleman was a sort of pilot balloon sent up to indicate or ascertain the current of opinion, and, perhaps, to come down and be credited with its direction. The right hon. Gentleman also says, as a reason for the change—“Look at your own proceedings about religious tests in the Act of last year.” The hon. Member for the College Divi-

sion of Glasgow must have heard that with a pang, because one of his complaints was that, by reason of the tests, adherents of the Church of Scotland enjoyed a monopoly, and now the right hon. Gentleman, who hears on good authority that they are to be done away with, says "Here is another reason for the change of my opinion." The right hon. Gentleman has made another statement which deserves the serious consideration of the people of Scotland. He has said that a dissolution is not required for the determination of questions of this kind. I would like to ask what is the reason for the passing of an abstract Resolution if there is not going to be action taken upon it. Is this question intended to have precedence of the Irish question? Are the people of Scotland who have pronounced in its favour to be deprived of its benefit until the Irish question is settled? If so, how long is that to take? Does he think he can do it without a dissolution, beyond the one to which he is looking so anxiously? I protest against political methods which have entangled the people of Scotland into the election of men warranted not to touch this question of Disestablishment, and I protest against the opinion of Scotland being derived from men whose only right as Members is to express their own opinion on this question, and not the opinion of their constituents. Now, Sir, the right hon. Gentleman has discussed this question on its merits. May I ask the House what impression the arguments of the right hon. Gentleman have made upon those who have considered this question time out of mind, and who want to know whether anything new has occurred to warrant this great proposed change in the State? Take any date you like. I will take that which the right hon. Gentleman has so often referred to, namely, the date of the Disruption in 1843. If ever the Church of Scotland was weakened to a point at which its continued existence as an Establishment might well be questioned, that was the time. But every decade has added to its strength and popularity. Reference has been made to the Highland counties, and figures, often before paraded, have once more done duty to show the smallness of the congregations of the Establish-

Mr. J. P. B. Robertson

ment in those districts. But in these counties there is no grievance, because the people are all in favour of the Establishment, and resist and resent proposals such as are being made to-night. Moreover, these counties do not represent the main current of life and energy in Scotland. In the places to which you would turn for the tests and signs of national preference—places such as Glasgow and the towns around it—you find the Established Church accommodating itself to the requirements of the people, enjoying their confidence, and obtaining their increased support. Let me raise another test. What is the attitude of the Established Church towards other Religious Bodies, and the attitude of the people generally towards the Church? The ministers of the Established Church are popular and leading men, well received by their coadjutors in the Dissenting Bodies, and it must be a keen nose for jealousy and ecclesiastical rivalry which would discover in Scotland anything like a standing grievance arising from the usefulness or influence of the ministers of the Established Church. These are all subjects upon which it would be easy to dilate. I do not think it necessary to do so, but I ask the House to consider one question which is of paramount importance. Hon. Gentlemen speak of money being confined to one denomination instead of being devoted to purposes of public utility. But what are the purposes of public utility which the people of Scotland would prefer to the present application of these funds? The Church never occupied a better position for defence than at the present time. The right hon. Gentleman the Member for Mid Lothian is a profoundly experienced politician, and he, no doubt, knows what are the political interests and probable results of his present move, but if the Church of Scotland is to be made one of the objects of his threats like the educated class, or like those other enemies whom he has made for himself, then I think he will find a large and substantial decline from the sympathy and admiration which have hitherto been given to him. The people of Scotland have so high an opinion of the right hon. Gentleman that they think he may be safely trusted with a matter of Home Rule for Ireland, about which they know com-

paratively little, but I do not believe that he will find in Scotland—and he has not found in his own constituency—people who are so credulous as to think that he knows more about the Church of Scotland than they do. That is one of the subjects upon which, as he has himself said, the people of Scotland have thought much and have their own strong opinions. He must take the consequences of the move which has been made to-night. So far as we are concerned, we shall welcome the opportunity of taking charge—now the sole charge—of the defence of the Church of Scotland. We shall be able to point out to the people of Scotland that if they choose to support the right hon. Gentleman and his candidates they are, with their eyes open, assisting in the destruction of their own Church. And the question which they will prefer, when it comes to that, is one that will be seen at the next election if the right hon. Gentleman will take great pains to employ as much of his eloquence and his energy in pressing that question upon the attention of the people of Scotland as he does the Irish question. As I have said, we will accept most cheerfully the defence of the Church of Scotland. We will do so not because it requires political or partisan support, but merely because in this instance we shall identify ourselves with one of the deepest and most permanent attachments of the Scottish people. For my own part, speaking not only to this House, but, as far as I can, to the people of Scotland, I denounce the manoeuvre which we are witnessing as an attempt to destroy the Scottish Church behind the backs of the Scottish people.

\*(12.12.) MR. HALDANE (Haddington): I do not think the right hon. and learned Gentleman the Lord Advocate has in the least exaggerated what has taken place to-night. The gauntlet has been thrown down and it has been taken up, and the Lord Advocate will find at the next General Election that when we come to fight this battle there will be no defection or division in the Liberal ranks. I will tell him what may explain the change in things which has occasioned him so much surprise. There has been

a distinct advance in the position of the Liberal Party, because the Tory Party has made the question of the Establishment the stalking-horse on which to fight political battles. In Scotland the Tory Party and membership of the Established Church are by no means convertible terms. One of the most remarkable features in the history of the Scottish Church is that so many persons of the greatest social distinction have passed from the Church of their forefathers over to the alien creed of this country. In Scotland we know a good deal about each other. It is a small country, and we know that many of the most prominent defenders of the Established Church in the Conservative Party have nothing whatever to do with the Established Church. Rumour would even have it that in that ecclesiastical edifice of which the Lord Advocate to-night has proved himself so powerful a prop, even the right hon. Gentleman himself occupies the position of a buttress rather than of a pillar. The Lord Advocate laughs at the notion that the Bill of the hon. Member for Inverness has had anything to do with the change which has taken place in the action of Scotch Members on this question between 1885 and 1886. Well, I will give him an illustration with which I am most familiar. I will take the case of my own constituency—and I refer to it not because of anything striking or peculiar there, but because it illustrates the course I and the hon. Member for Lanarkshire found ourselves compelled to take in the election of 1886. In 1885 we of the Liberal Party were desirous to avoid raising this question, and to reserve our energies for other purposes. I, for one, stood as distinctly for Disestablishment as at the present time, but I was willing to accept the suggestion of the leader of my Party that the question should be put out of the range of practical politics for the time being. But I and other Members of the Party found that the Tory Party were pushing this question to the front. In Haddingtonshire there are 25 Established Church

ministers. Of those I had the distinguished honour to receive the genuine opposition of 23 in 1885. In 1886 things had progressed. There were still 25 ministers of the Established Church there, but instead of having the determined opposition of 23 in this county, which embraces a large number of supporters of the Established Church, and is, or was, largely Liberal, I had the determined opposition of the whole 25. The constituency was still one in which there was a large Liberal majority. I found it was no use trying to keep this question out any longer. Therefore, I did what 20 others of my Colleagues did in Scotland, I declared that I would have no more parleyings about this question, and would stand as an out and out opponent to the principle of Establishment in Scotland. The right hon. Gentleman the Lord Advocate asks what it was in the Parliament which was elected in 1885 and sat in 1886 which brought this question on. Does the right hon. Gentleman forget that in the debate during that Session, on the Motion of the hon. Member for the College Division, the action of the hon. Member for Inverness was alleged as a reason for raising the question? The change is due almost entirely to the exertions of the Tory Party, who have sought to make political capital out of a cause they have not really at heart. I do not desire to approach this question in any sense of hostility to the Church of Scotland. I come to debate it on general grounds. We sit in Parliament as politicians, and we are here to say whether or not, in the existing state of things in Scotland, there is a title to maintain the Established Church any longer. It is not enough to support the proposition with which the Lord Advocate has associated himself to-night, to show, as the hon. Members for the Universities of Glasgow and Aberdeen sought to show, that the Church of Scotland is in a prosperous and flourishing condition. It is not even enough to show that it has increased in its Membership and vitality, because it may well happen that there has been a change of mind amongst the people which makes an Establishment a thing which no longer requires to be maintained. There is a difference between different cases.

*Mr. Haldane*

There is no analogy between the circumstances of England and Scotland, because in Scotland the Established Church is after all but a sect; and the proposition which I maintain is, that there has been such an advance in the condition of affairs in Scotland, that there have been such changes in the circumstances of the country, that the Established Church is not only no longer needed there, but has become an anachronism. There are, at least, two other Religious Bodies in Scotland on the same level, socially, intellectually, and spiritually influential as the Church of Scotland—putting out of question the large and growing body of Episcopalians. There are the United Presbyterian and the Free Church denominations, which are in the same position as regards their ministers and members as the Established Church. No one knows Scotland better than the Lord Advocate, and I challenge him to rise and say whether there is a difference between the status of those who belong to the Established Church and those who belong to the other two Churches of Scotland? Take the case of Glasgow. There the wealthiest citizens are United Presbyterians. In Edinburgh a large proportion of influential citizens are members of the Free Church. Then as to intellectual status, the United Presbyterian and Free Churches occupy positions in no way different from that of the Establishment; and we cannot forget that they have had their Chalmers, Cunninghames, Capdlis, and hosts of other great men. You can match every great name in the Establishment, with one as great from either of the other two bodies. Men go indifferently into either of the three Churches, and it has been so for years past. Then, as to the spiritual question, does anyone who knows the work that the United Presbyterian and Free Churches are doing maintain that it is less spiritual than that of the Establishment? There is, at least, as great earnestness in what are technically the Dissenting Bodies of Scotland as in the Established Church. We have been told we ought to lay great stress on the fact that numerically the strength of the Established Church is greater than that of the other bodies. Deducting the Highland population, and that very large and fluctuating body of

persons who belong to the Established Church because it is more convenient to call themselves something than to call themselves nothing, there is no numerical majority of the Church of Scotland. I say that in the circumstances which exist in Scotland there is nothing to warrant the continuance of the present state of things. We are asked to take some *plébiscite* of the people of Scotland. I know nothing of *plébiscites*, and they are un-Constitutional. We have heard to-night from the lips of the leader of the Liberal Party what are the proper means to be pursued to ascertain the wishes of the people of Scotland. This question, we have been told, will be put in the fore front of the programme of the Liberal Party, and by that declaration we mean to stand or fall.

\* (12.20.) THE MARQUESS OF HARTINGTON (Lancashire, Rossendale): Perhaps, as my right hon. Friend the Member for Mid Lothian (Mr. Gladstone) has referred to a declaration which I made on this subject, and given some prominence to it, I may be allowed to say a few words. I entirely concur with previous speakers that it is very difficult to overrate the importance of the declaration which has been made this evening. I look upon it as important from many points of view, and not, perhaps, as most important from the point of view of the future position of the Scotch Church. Although the question has entered to-night on a new phase, I think that, as far as the fortunes of the Scotch Church are concerned, it will be extremely probable that many years may elapse and many Parliaments may come and go before the Liberal Party, committed as it has been to-night by the majority of the Liberal Party to the principle of Disestablishment, will find their time sufficiently unoccupied to permit them to deal with the question. But although I do not, therefore, think it is a matter of very urgent and pressing importance as regards the future of the Scottish Church, it is, no doubt, a

matter of much more urgent importance concerning the position of a considerable number of Scotch Members. And, although, no doubt, the Party managers of the majority of the Liberal Party have charitably supposed that this change of front will place the Liberal Unionist Party in a most embarrassing position, still, from information which has reached me, I do not think it is altogether impossible that even some Members belonging to the majority of the Liberal Party representing Scottish counties may find their own position somewhat more embarrassing. Therefore, it is not altogether exclusively from a Party point of view that I regret the new position which has been taken up in this matter by my right hon. Friend. During the short period when I had the honour of being the leader, or, at all events, the nominal leader, of the Liberal Party, although I gratefully acknowledge the kind and generous and abundant assistance which on many occasions I received from my right hon. Friend, it cannot be any matter of surprise that occasionally upon some subjects I found him a somewhat unruly follower. On some questions of considerable importance, such as the question of Foreign Policy which arose at that time, we sometimes found some difficulty in reconciling our opinions, but upon this question of Disestablishment in Scotland up to the present moment I have found my right hon. Friend the most exemplary follower. The statement which I publicly made, now, I think, 12 years ago, and which has been repeated to-night with perfect accuracy by my right hon. Friend, has been found by the Liberal Party in Scotland to be a most convenient declaration. I must admit it was somewhat wanting in completeness, because when we professed, as we did honestly profess, that our sole desire was to be guided in this matter by the opinion of a majority of the Scottish people, we did not accurately define how the opinion of that majority was to be ascertained. I have always thought myself, and I think that up to a very recent time my right hon. Friend agreed with me, that if a large Scottish majority formed a very strong and decisive and resolute opinion upon this subject they would find in some manner or another



the means of expressing that opinion, and of communicating it to a British Parliament. Those means have not been found, and if it is still a subject for discussion, a subject open to doubt or even to argument, whether the majority of the Scottish people are, or are not, in favour of the principle of disestablishment, I think, that fact in itself shows that up to the present time there is no strong opinion on the part of a large majority urgently demanding the Disestablishment of the Scottish Church. My right hon. Friend has told us to-night that he has found the answer to the question as to the opinion of the Scottish people in the votes given from time to time upon this Resolution by the Members for Scottish constituencies.

MR. W. E. GLADSTONE: And otherwise.

\*THE MARQUESS OF HARTINGTON: Well, the main test has been the votes given on this Resolution. I admit that is one test, but it is not altogether a completely satisfactory test, and could not be under any circumstances. Above all, it could not be a satisfactory test unless the hon. Members who gave their votes were elected—I will not say exclusively, but to a very considerable extent—with a view to the consideration of this question. I do not say that it was necessary that the elections should have turned exclusively upon the question of the Disestablishment of the Church, but what I do say is that to render the test of any value whatever it is necessary that this question should have been distinctly and prominently placed before the constituencies when the hon. Members whose opinions are to influence the judgment of this House were elected. The right hon. Gentleman has done the very utmost that lay in his power to prevent this question from being placed in a definite manner before the people of Scotland, so as to render their votes at the last election a test with regard to it. Reference has been made to-night

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to the speeches of the right hon. Gentleman in the Mid Lothian campaign. I have referred to them myself to-day, and I find in them the most passionate appeals to the Liberal portion of the Scotch constituencies not to permit this question of Disestablishment to exercise any prominent influence on the decision which they were going to form, but that Liberal candidates should be elected altogether irrespective of the opinions for or against Disestablishment. If that be the case, and if the advice of the right hon. Gentleman had any effect, as I suppose it had, on the election of 1885, can it be argued that the election of 1886 turned more than that of 1885 upon the subject which we are now discussing? We know that in 1886 there was one subject brought prominently before the constituencies of England, Scotland, and Ireland, to the exclusion of any other, and it is idle to suppose that the advice given to the electors by the right hon. Gentleman in 1885 was absolutely disregarded in 1886 in the face of the more pressing and important question that was placed before them. I do not find, therefore, in either of the elections, or in any of the votes that have been given in this House upon this question any satisfactory reason why we should suddenly abandon the position which I ventured to take up more than 10 years ago, when I was supported by my right hon. Friends near me, as, indeed, I was only five years ago. I do not pretend to have any strong opinion upon this question myself. I do not profess to have even a superficial acquaintance with the most elementary of the arguments which can be used upon the subject on its merits, because I have not given it any careful attention, but I am as ready now as I was 12 years ago to do the best I can to carry into effect the strong wishes, plainly expressed, of the majority of the Scotch people, whenever we can ascer-

tain authoritatively what those wishes are. It has seemed to me, however, from the very slight attention that I have been able to give to the subject, that the difference between the various divisions of the Churches in Scotland are so comparatively slight, that the attachment felt to the Established Church of Scotland is so strong, and that the conscientious objections which are felt to endowment or to State connection are in comparison so weak, that it is a somewhat extraordinary thing that some method has not yet been discovered by which a re-construction and reform of the Scotch Established Church might be devised, which might bring together all the sections of the Scotch Religious Bodies without resorting to the extreme method of Disestablishment. Bearing in mind the statement of the right hon. Gentleman, which has been referred to to-night, with regard to abstract Resolutions, we are bound to assume that the right hon. Gentleman, before expressing the opinion which he has expressed to-night, has not only satisfied himself that the majority of the Scotch people are ardently in favour of Disestablishment, but has also satisfied himself as to the means by which that Disestablishment is to be carried out, and also that he has satisfied himself that no other method of reform and re-construction is possible short of the extreme method of Disestablishment. Well, Sir, my right hon. Friend has satisfied himself of all these things, but we do not know by what process he has arrived at his opinion; we do not know in detail what are the conclusions at which he has arrived. We have only been told to-night that the Disestablishment of the Scotch Church is a comparatively simple matter, and there is only one question that would give rise to any protracted consideration; but I venture to say that there are very few Members on this side of the House who have the slightest conception what would be the lines on which a measure of Disestablishment and Disendowment would be framed. Before we are asked to commit ourselves finally to a policy of Disestablishment and Disendowment I say it would be decent, at all events, that we should know upon what lines a measure is to be framed. Perhaps my right hon. Friend takes

a somewhat less exalted view of the character of an abstract Resolution than he did a few years ago. Perhaps these abstract Resolutions, after all, are only a mode of arriving at that which we all want to know—namely, the opinion of the Scotch constituencies. They have been so used on the occasion of two previous Divisions. This Division will probably be another proof of the growing opinion of Scotland upon this subject. If that is the view we are to take of the votes given upon these abstract Resolutions, what is the position of my right hon. Friend in that case? These abstract Resolutions, we are told, are a means of arriving at the opinions of Scotch constituencies. What, I ask, is the opinion of Mid Lothian? The opinion of the right hon. Member for Mid Lothian has been given to-night, not on account of any knowledge which he has of the opinions of the voters of Mid Lothian, but because, he has told us so himself to-night, a majority of Scotch Members for other constituencies have on previous occasions voted for this Resolution. It has been said to-night, and I have heard it previously, that a requisition was presented—[Mr. W. E. GLADSTONE: No, not a requisition"]—well, that a representation, signed by a considerable number—I have been told by a majority—of the constituents of my right hon. Friend, was presented to him begging him not to vote for the Resolution of the hon. Member for Glasgow. Has my right hon. Friend arrived at any opinion, formed any judgment—has he been able to form any judgment whether the opinion of his Mid Lothian constituents has changed on this subject? If the opinion of the Member for Mid Lothian carries no more authoritative representation of the views of his constituents than it has been shown to do, on what grounds are we to assume that the votes of other Scotch Members indicate the views of their constituents? I will only say that in the vote I shall give to-night, and which I believe some of my friends will give, we shall not be asserting that, in our opinion, the Scotch Church requires neither re-construction nor reform. Many of us believe that it does eminently require reform, and some of us believe that a re-construction of the Scotch Church, which should include other

sections that are now outside its pale, is not beyond the limits of possibility. We shall certainly not be voting that an indefinite continuance of the present state of things is either requisite or desirable. We shall not be voting against a reform of the Scotch Establishment, and above all we shall not be asserting that it is necessary permanently to maintain the Scotch Establishment if it should be found that reform of that Establishment and re-construction of the Presbyterian Church of Scotland is an impossibility, and that no other solution will satisfy the settled desires and wants of the majority of the Scottish people.

(12.45.) MR. A. ELLIOT (Roxburgh), (who was received with loud cries of "Order, order!"): I rise to say a few words on this question, which may be of no importance to hon. Members who sit below the Gangway [*Cries of "Divide!"*] When I rise to say a few words upon a question which is of supreme importance to the Scottish people I am met with the jeers of hon. Members. I mean, however, to protest, not merely against the decision that is to be arrived at, but also against the method in which the decision is being arrived at. At the last General Election in Scotland the right hon. Gentleman the Member for Mid Lothian declared over and over again that the question of Scottish Disestablishment was hardly ripe for Parliamentary discussion; but now he comes down to the House and supports the Resolution of my hon. Friend (Dr. Cameron). [*Cries of "Divide!"*] I am determined to have my say on this question. I am here as a Scottish Member entitled to take part in this Debate. I maintain that the manner in which the subject has been brought forward shows that no consideration has been paid to public opinion in Scotland. Hon. Members are invited to arrive at a momentous decision upon a matter which if taken in hand at all ought to be taken in hand by  
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a responsible Minister, and to arrive at such a decision upon an Amendment to the Motion that the Speaker do leave the Chair. The question has not been discussed by anything like a proper number of Scottish Members; and when the right hon. Gentleman the Member for Mid Lothian says that the feeling of the Scottish people is in favour of Disestablishment, and when he founds that statement upon the fact that on one occasion in this House a Resolution in favour of Disestablishment was carried, I ask him to consider his own remarks in reference to the weight attaching to that very Resolution. In November, 1885, the right hon. Gentleman said that the Resolution then proposed, which was the same as that now brought forward by the hon. Member for the College Division, would not be accepted as conclusive with regard to the possible opinion of the people of Scotland on the question. The right hon. Gentleman went on to say that a long series of such Resolutions would be necessary, and yet he now supports the proposal on Party grounds and without discussing its merits. Liberals in Scotland have in the past been decided on this question, and they will remain decided. Many people in Scotland who a few years ago were in favour of Disestablishment are now animated by a desire to re-construct and reform the Church for the benefit of the Scottish people.

(12.50.) The House divided:—Ayes 256; Noes 218.—(Div. List, No. 69.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Motion, by leave, withdrawn.

It being after One of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at five minutes after One o'clock till Monday next.

## HOUSE OF LORDS,

*Monday, 5th May, 1890.*

The Lord Bishop of EXETER—Took the Oath for the first time.

## SWEATING SYSTEM.

Message from the Commons for Fifth Report, &c., of the Select Committee: Ordered to be communicated accordingly.

## METROPOLITAN HOSPITALS, &amp;c.

The evidence taken before the Select Committee from time to time to be printed for the use of the Members of this House: but no copies thereof to be delivered except to Members of the Committee until further order. (No. 69.)

## HERRING FISHERY (SCOTLAND) ACT (1889) AMENDMENT BILL.—(No. 55.)

## SECOND READING.

Order of the Day for the Second Reading, read.

\*THE EARL OF CAMPERDOWN: My Lords, this Bill has reference to one matter, and one matter only, namely, the amount of the penalties which are exigible under the Herring Fisheries Acts for breaches of the bye-laws of the Scotch Fishery Board. This Bill proposes to restore the amounts of those penalties to the same figure at which they stood prior to the Act of 1889. The Herring Fisheries Act (Scotland), 1889, made certain enactments with reference to penalties, but in the same clause reserved all powers relating to the Scotch Fishery Board. But in construing the various Acts, the Scotch Judges have held, notwithstanding the proviso that the amount of the penalties exigible has been affected by the Act of 1889. This Bill has, therefore, been introduced for restoring the powers which existed under the Act of 1885, and which were supposed, until the decision which I have referred to, still to exist. The words are identical with the language of the Act of 1885,

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and I move that the Bill be read a second time.

THE LORD CHANCELLOR: To which Committee does the noble Earl propose that it should be referred?

\*THE EARL OF CAMPERDOWN: To the General Committee.

Bill read 2<sup>a</sup> (according to order), and committed to the Standing Committee for General Bills.

House adjourned at twenty five minutes before Five o'clock, till To-morrow, a quarter past Ten o'clock.

## HOUSE OF COMMONS,

*Monday, 5th May, 1890.*

## QUESTIONS.

## LEAD POISONING.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the President of the Local Government Board whether the attention of the Board has been directed to the extensive prevalence of lead poisoning in Sheffield and the surrounding districts, due to the drinking water, and affecting about 1,000 persons, as reported in the *British Medical Journal* of April 26th; and whether he proposes to order an inquiry by the Board into the circumstances, and the best means of remedying them?

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I have received a communication from the Town Clerk of Sheffield, from which it appears that a Committee, which included Professor Dewar, Dr. Bristowe, and Mr. Hawkesley, was appointed by the Town Council to consider the extensive prevalence of lead poisoning in Sheffield and the surrounding districts due to the drinking water, and that the remedy recommended by that Committee has been adopted by the Town Council. The results as regards the improvement of the water supply are stated to have been decidedly beneficial, and the Town Council hope that a complete remedy will be provided.

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## THE TOWER ARMOURY.

SIR ROBERT FOWLER (London): I beg to ask the Secretary of State for War if he can explain why the armour in the Tower, which is at present crowded into so small a space as to interfere with its being seen, has not been moved into the two large halls which have been decorated and prepared to receive part of it for a very long time; and whether, if the delay is due to want of money, he will consider the advisability of employing the money paid by visitors in defraying the expense necessary to do justice to the collection?

\*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): To carry out the improvement referred to would involve an expenditure of £1,000 at least; and the money has not hitherto been available. To divert to this purpose the fees paid by visitors, which are now taken in aid of the Vote, would merely have the effect of adding the amount to the Vote required. I shall be exceedingly glad when it is possible to carry out this national work, because I regard it personally as one of great interest and importance.

## APPEALS FROM SCOTCH COURTS.

MR. FRASER-MACKINTOSH (Invernessshire): I beg to ask the Lord Advocate by what authority, statutory or otherwise, the House of Lords, subsequent to the passing of "The Appellate Jurisdiction Act, 1876," changed their previous uniform practice of not allowing costs to appellants from the Scottish Courts?

\*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I understand this question to be put to me as to a matter of fact regarding Scotch practice, and I answer it upon that footing. There is no statute upon the subject, the present practice, like the former, being, of course, referable to the inherent jurisdiction of the House. The modern practice is in accordance with that of all other Courts.

## NEYLAND STATION, PEMBROKESHIRE.

MR. BOWEN ROWLANDS (Cardigan-shire): I beg to ask the President of the Board of Trade whether he is aware that, on 12th April in this year, a telegraph boy named Mackan was

knocked down and injured by an engine on the sidings near the fish stage on the premises of the Great Western Railway Company at their station at Neyland, Pembrokeshire; whether this accident happened at or near to the place at which, on 22nd April, 1887, a boy named Rees was run over by an engine and killed; whether his attention has been called to the Report of Colonel Rich (dated 22nd July, 1887), after an inquiry held by him on behalf of the Board of Trade into the circumstances which attended the death of Rees, in which he states that the railways and station yard of the Great Western Railway Company at Neyland were in a most dangerous state, and recommended, amongst other things, that the Company be urged to build a footbridge for the safety of their own servants and of the numerous labourers employed at the station, as well as of the public at large; whether there are now several hundreds of persons employed at the fish stage at Neyland; whether the Railway Company have neglected or refused to carry out Colonel Rich's recommendations; and whether the Board of Trade will take any steps for the protection of life and limb at this station, and in furtherance of the measures urged on the attention of the Company by Colonel Rich?

THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I have received from the Company a statement signed by the boy MacKeen, from which it appears that he was not struck by the engine, but having crept under the ticket platform in taking a short cut across the Neyland Station Yard, he drew back suddenly on seeing the approaching engine and struck his forehead against the woodwork of the platform, slightly cutting his face. This occurred about 50 yards from the spot where the fatal accident happened in April, 1887. The Board of Trade have no power to compel the Company to erect a bridge; but negotiations with this object are being conducted, which I hope will end in the removal of the danger at present existing, and I understand that the Company are making considerable alterations in their Neyland Station, which will, I hope, when completed, go far to meet the other recommendations contained in Colonel Rich's Report.

SERGEANT MAJOR HOLMES.

MR. MACDONALD CAMERON (Wick): I beg to ask the Secretary of State for War, with regard to a reply given by the late Secretary of State for War to a question asked on 6th September, 1886, respecting the circumstances attending the death of Troop Sergeant Major Holmes, of the 7th Hussars, whether, when the charge of dishonesty was brought forward against the late Troop Sergeant Major Holmes, the books, which would have substantiated such charges were found to have been destroyed, and could not be produced to satisfy his widow and other relatives as to his indebtedness; why it is that, when the late Sergeant Major Holmes died with a clean defaulters' sheet, together with the highest testimonials as to efficiency, sobriety, and honesty from his Commanding Officers, and the War Office Authorities having officially stated that no debts could be proved against him, the charges of drunkenness, inefficiency, and dishonesty have not been publicly withdrawn; and whether, in consequence of the official letters which have since been written to Mrs. Holmes, which show that these charges have since been found to have been unjustly made, he is now prepared to publicly withdraw them, and to inquire into the conduct of those who are responsible for their having been made?

\*MR. E. STANHOPE: There is no knowledge in the War Office of any books having been destroyed; and having carefully considered all the evidence adduced in this painful case, I am bound to say that the answer given by my predecessor was correct; at the same time, I have no hesitation in saying that the irregularities in the conduct of the Sergeant Major—who undoubtedly did good and gallant service in Egypt—arose after, and were probably consequent on, a severe attack of sunstroke from which he suffered.

MR. M. CAMERON: Has the attention of the right hon. Gentleman been called to the fact that the jury in their verdict distinctly stated that death had been caused by the worry to which this unfortunate man had been subjected; and if he is further aware that all the commanding officers under whom he served bore testimony to his high character for honesty and sobriety?

\*MR. E. STANHOPE: With regard to the last question, I believe that Sergeant Major Holmes had previously borne an excellent character.

MR. M. CAMERON: I beg to give notice that, in consequence of the answer of the right hon. Gentleman, I will bring the subject before the House on the Estimates.

#### TELEGRAPHIC COMMUNICATION TO CHINA.

SIR JOHN LUBBOCK (London University): I had given notice of my intention to ask the Postmaster General whether he is aware that a Telegraphic Convention between the Chinese Government and certain British and Foreign Telegraph Companies has lately been signed, and whether the ratification by the British Government is sought by the interested parties; whether this Convention would fix the charge for telegraphic communications to China for a long period of years, so as to preclude competition with existing cables and land lines during that time; and whether Her Majesty's Government will lay the proposed Convention (terms of which are known in this country, but which have so far been kept secret) upon the Table of the House before its ratification? At the request of the right hon. Gentleman I beg to postpone the question until Monday.

#### SMUGGLING AT GIBRALTAR.

MR. JACOB BRIGHT (Manchester, S.W.): I beg to ask the Under Secretary of State for the Colonies whether there are any negotiations on foot between Her Majesty's Government and the Government of Spain, with the object of putting a check to smuggling at Gibraltar by interfering with the freedom of trade?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): No further negotiations have taken place since I answered a question on this subject by the hon. Member two years ago. I may add that smuggling by land has diminished of late, owing to additional regulations which have been made.

### VACCINATION OF PUPIL TEACHERS AT LEICESTER.

MR. PICTON (Leicester): I beg to ask the Vice President of the Committee of Council on Education, whether he will re-consider the practical difficulty in which the School Board for Leicester is placed, by the impossibility of securing a sufficient number of candidates for the position of pupil teacher who can produce a certificate of vaccination; and whether the Department is compelled by law to make such a certificate a condition of its approval of candidates; if so, by what law; and, if not, whether he will consider the hardship inflicted thus on candidates over 14 years of age who are outside the scope of the Vaccination Laws?

\*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I am not aware that there is any difficulty in procuring a certificate of vaccination at Leicester, if the proper medical authority is applied to; and the hon. Member must see that it would be highly inexpedient for the Department to relax a rule of great importance to the health of the children in elementary schools, because of the unfortunate attitude towards compulsory vaccination taken up by the inhabitants of Leicester.

In reply to a further question by Mr. PICTON,

\*SIR W. HART DYKE said: The Department is perfectly within its right in demanding a certificate. I cannot otherwise answer the question of the hon. Gentleman than by saying that if a candidate refuses to produce a certificate of vaccination he cannot be appointed.

\*MR. PICTON: Is the Department compelled by law to demand a certificate? [*Cries of "Order!"*] I think I have a right to ask the question.

No reply was given.

### REGIMENTAL CANTEENS.

MR. MAC NEILL (Donegal, S.): I beg to ask the Secretary of State for War is it a fact that the canteens attached to regiments are open for the sale of malt liquors to the troops every day of the week from 12 a.m. till 9.30 p.m.; whether soldiers are permitted to treat civilians to drink at these canteens, and

to buy drink for consumption without the precincts of the military barracks; and whether, having regard to the tendency of recent legislation to limit the hours during which the traffic in drink can be carried on, he will take any steps for placing some restrictions on the sale of drink within barracks to Her Majesty's troops?

\*MR. E. STANHOPE: Canteens are open for the sale of malt liquors to the troops every day of the week from 12 a.m. to 9.30 p.m. Civilians are not allowed in a canteen at hours prohibited by the Licensing Act in force at the place, and at other times only by permission of the commanding officer. They cannot themselves make purchases in a canteen; but a soldier is permitted to treat a civilian friend. The soldier may not buy drink at a canteen for consumption outside the barracks. I have already informed the House that I propose, on the Barracks Bill, to explain the measures we are adopting for the promotion of temperance in the Army.

### BRITISH GUIANA.

MR. WATT (Glasgow, Camlachie): I beg to ask the Under Secretary of State for the Colonies whether he is now in a position to inform the House if the Secretary of State has decided upon a scheme of Constitutional Reform for the colony of British Guiana; whether the old Dutch institution, in operation before the colony became British, of selection by means of a College of Keizers, consisting of seven life members, is to be abolished, and direct representation by ballot substituted; whether any extension of the franchise is to take place; whether he has decided as to the number of elective members to be appointed by the inhabitants of the colony; and whether he can give any further information with regard to the proposed scheme of reform?

BARON H. DE WORMS: Her Majesty's Government have decided upon some points in a scheme of reform of the Constitution of British Guiana; but other points are still under discussion with the Colonial Government, and the Secretary of State is not prepared to state the nature of the proposed reforms until the scheme is completely settled.

## MALTESE MARRIAGES.

MR. H. H. FOWLER (Wolverhampton, E.): I beg to ask the Under Secretary of State for the Colonies whether he will lay upon the Table of the House copies of the Despatch of Sir Lintorn Simmons to the Secretary of State for Foreign Affairs, dated the 18th January, 1890, and of the two enclosures accompanying such Despatch, and of any other correspondence with the Vatican relating to the validity of the marriages of Her Majesty's subjects which have been, or may hereafter be, celebrated in Malta?

BARON H. DE WORMS: Papers will be laid relating to the Mission of Sir L. Simmons to the Vatican which will include the Despatch referred to and its enclosures.

MR. H. H. FOWLER: Can the right hon. Gentleman say when the Despatch will be laid upon the Table?

BARON H. DE WORMS: As soon as possible.

## LEEDS ASSIZES.

MR. DIXON-HARTLAND (Middlesex, Uxbridge): I beg to ask the Secretary of State for the Home Department whether the late Civil Assizes at Leeds having ended on the 1st of April last another Civil Assize has been fixed at Leeds for the 10th of May; whether, during the last few years, three Civil Assizes have been held at Leeds during five months and none during the rest of the year; whether the Corporation of Leeds, the Leeds Chamber of Commerce, and the Leeds Law Society more than a year ago made representations to the Lord Chief Justice of England disapproving of the present arrangement of the Civil Assizes at Leeds; and whether complaints have reached him that the absence of a Judge from London at these Assizes seriously interferes with the trial of London actions?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. MATTHEWS, Birmingham, E.): The answer to the first paragraph is in the affirmative. The Civil Assizes have been held during the last few years during the Hilary, Easter, and Trinity sittings, and not during the Michaelmas sittings. I am not aware whether representations have been made disapproving of the present

arrangements; but the power of alteration does not lie with the Lord Chief Justice. The absence of a Judge must always interfere with trials in London; but certainly less at this time than at any other. Under the present arrangements only four Judges are absent at this time of the year, instead of nine as heretofore. I am informed by the Lord Chancellor that he has the subject under consideration, and is at this very moment in communication with the Judges with the view of determining the most convenient time for holding the Civil Assizes at Leeds.

## THE NEW CODE.

MR. MUNDELLA (Sheffield, Brightside): I beg to ask the Vice President of the Committee of Council on Education whether he will furnish the House estimates of (1) the number of day schools; (2) the number of children on the registers of such day schools as will be benefited by the adoption of the New Code and the New Code Bill now before the House; and what is the estimated total cost of the increased grants, in addition to the ordinary grants and in addition to any special Parliamentary grant made under Section 19 of the Act of 1876?

SIR W. HART DYKE: So far as can be estimated from the data at my disposal considerably more than half of the Departments of Schools for older scholars will be benefited pecuniarily by the New Code; but it will be my duty, in explaining that document and the Bill in connection with it, to give the House the fullest information in my power upon the points to which my right hon. Friend has referred.

## DUTIES ON MARINE INSURANCE.

MR. MUNDELLA: I beg to ask the Chancellor of the Exchequer whether he has received a Memorial from Marine Underwriters, praying for the abolition of the existing Stamp Duties upon Marine Insurance; and whether, having regard to the injury inflicted upon marine insurance business by the retention of the Stamp Duty, and to the fact that many insurances are effected with Foreign Companies on the Continent in consequence, he can see his way to place insurance of property at sea on the same



footing as the insurance of the same property on land?

\***THE CHANCELLOR OF THE EXCHEQUER** (Mr. GOSCHEN, St. George's, Hanover Square): I have received such a Memorial. I do not deny that there is some force in the contention of the Memorialists; but looking to the many claims for remission of taxation with which I had to deal, I did not see my way to accede to the wish of the Underwriters.

#### LOCAL MARINE BOARD AT CARDIFF.

**SIR EDWARD REED** (Cardiff): I beg to ask the President of the Board of Trade whether he has received from Cardiff the Resolution passed at a very large and influential meeting in that town in favour of the prompt establishment there of a Local Marine Board, to facilitate the enormously increased marine business of Cardiff and other ports in South Wales and Monmouthshire; and, if so, whether, in view of the urgent importance of the matter, he will be able to give it his prompt and favourable consideration?

**SIR M. HICKS BEACH**: Yes, Sir. I have received the Resolution referred to, and I am giving the matter my most earnest consideration.

#### THE PLATE DUTY.

**MR. JAMES ROWLANDS** (Finsbury, E.): I beg to ask the Chancellor of the Exchequer whether the abolition of the Plate Duty will carry with it the abolition of the Plate Licence; and, if so, at what date will the licence cease?

\***MR. GOSCHEN**: No, Sir; it is not intended that the abolition of the Plate Duty will carry with it the abolition of the Plate Licence.

#### THE NEW COINAGE.

**SIR GEORGE CAMPBELL** (Kirkcaldy, &c.): I beg to ask the Chancellor of the Exchequer, with reference to the new coinage, if, in view of the maintenance of the Union, he will re-consider his intention of substituting for the arms of the three Kingdoms the St. George and the Dragon, which is an emblem of one Kingdom only?

\***MR. GOSCHEN**: No; I cannot undertake to abandon the St. George and the Dragon. It is sanctioned by tradition and recommended by the great beauty of the design.

*Mr. Mundella*

**SIR G. CAMPBELL**: I beg to give notice that I will take the earliest opportunity of calling attention to this subject, and of moving that, in view of the separatist tendencies developed by the Chancellor of the Exchequer, it shall not be the practice to place upon coins of the United Kingdom an emblem which is only recognised in one part of it.

**MR. CAUSTON** (Southwark, W.): I beg to ask the Chancellor of the Exchequer whether, before finally deciding upon the designs for the proposed new gold coinage, he will afford the Members of this House an opportunity of seeing them; and whether he has come to any decision as to withdrawing from circulation, either or both the four shilling and five shilling pieces?

\***MR. GOSCHEN**: As regards the second question, I have never thought of withdrawing the new five shilling piece. So far as I learn, it is growing in popularity. Fresh demands for considerable quantities have lately been made. As to the four shilling piece, it is premature to come to any decision. Time alone can show what is the real use of a coin. As to exhibiting the design for a new gold coin to Members of the House, there is something to be said for such a course, and something against it. There is sure to be no unanimous verdict in favour of any design. There are more differences of opinion in questions of art even than in questions of politics. I will consult my Colleagues on the point.

\***MR. CHILDERS** (Edinburgh, S.): Is there any increase in the circulation of four shilling pieces?

\***MR. GOSCHEN**: No doubt the five shilling coin is more popular.

#### GRIEVANCES OF SEAMEN.

**ADMIRAL FIELD** (Sussex, Eastbourne): I beg to ask the Under Secretary of State for the Colonies whether his attention has been called to the following remarks made by Admiral H.R.H. the Duke of Edinburgh at the annual meeting of "Missions to Seamen" Society, held at the Mansion House on 28th April:—

"The Report also complains that in some ports abroad, and in Crown Colonies, especially Hong Kong and Singapore, the crews are compelled to do unnecessary work in transhipping cargoes on Sundays, which causes much discontent and discomfort to the men, and puts a stop to all religious observances. Whereas in

the Australian and self-governing Colonies such unnecessary working of cargoes is rigidly forbidden.

"I understand that the Secretary of State for the Colonies has called the attention of some Colonial Governors to this grievance of seamen ;"

and whether the practice complained of has been prohibited, so that seamen may enjoy their Sunday rest in port in common with other of Her Majesty's subjects?

**BARON H. DE WORMS :** The Secretary of State has been in correspondence with the Governors of Hong Kong and the Straits Settlements on the subject of Sunday labour in the ports of Hong Kong and Singapore. They have represented that there would be difficulties in the way of legislation prohibiting Sunday labour in these harbours ; but the Local Chambers of Commerce have been approached by the Governors with a view to securing a reduction of all such avoidable labour by united voluntary action on the part of the merchant and shipping agents. I may add that the Secretary of State is about to consult on this question Sir Cecil Smith and Sir William des Vœux, who are now in England.

**ADMIRAL FIELD :** I beg to ask the President of the Board of Trade whether his attention has been called to the following remarks made by Admiral H.R.H. the Duke of Edinburgh at the Mansion House, 28th April, when presiding at the annual meeting of "Missions to Seamen" Society :—

"But this system of sending seamen direct to their homes, and the transmission of their wages after them, has not yet been extended to foreign shores ; British crews are dismissed from their ships on the coasts of France, Belgium, and Holland, &c., to await payment amongst people of a strange language, so that the Consul of Dunkirk reports as follows, with just indignation, 'of the sharks of all nations, who infest the large discharging ports between the Elbe and Brest, in order to live principally on the British seaman and his weaknesses ; and urges 'the introduction of the system for the transmission of wages, free of charge, at the chief discharging ports between the Elbe and Brest.' In Dunkirk last year 2,002 British seamen were discharged, receiving £34,565 in cash, and \$658 in bills on the owners. Of this money, £16,056 was remitted by 911 money orders, leaving \$19,187 for the crimps to operate upon in that one French Port ;"

and whether he will endeavour to meet the evil complained of, as recommended by the Consul of Dunkirk, by inserting a clause in the next Merchant Shipping Amendment Act?

**SIR M. HICKS BEACH :** The question of still further facilitating the transmission of seamen's wages to this country, and of sending to their homes seamen discharged at foreign ports, has not failed to receive attention. But it has not yet proved practicable to overcome all the difficulties which have been found to exist, arising in some measure through the difference in the laws and regulations in operation in foreign ports. Any scheme of the kind in foreign ports would probably have to extend to seamen whose homes are in the British possessions as well as to those who reside in the United Kingdom. The transmission scheme has been worked in this country by the staff which is also employed in the prevention of crimping and in the performance of other duties in connection with the Mercantile Marine. To provide the necessary assistance at foreign ports would involve a very considerable expenditure. In the year ended March, 1889, seamen discharged abroad took advantage of the Seamen's Foreign Money Order system to the extent of over 4,000 orders, representing more than £60,000.

#### THE SOUTH METROPOLITAN GAS COMPANY.

**MR. BOULNOIS (Marylebone, E.) :** I beg to ask the President of the Board of Trade whether he will move the Attorney General, under Section 45 of "The Metropolis Gas Act, 1860," to take action against the South Metropolitan Gas Company, as he has twice been requested to do by the London County Council, for their conduct in cutting off the supply of gas from the testing place in Hill Street, Peckham, whereby since September, 1889, it has been impossible to test the gas at this station except for two short periods?

**SIR M. HICKS BEACH :** In December last, the London County Council represented to the Board of Trade that the South Metropolitan Gas Company had cut off the supply of gas from the testing place in Hill Street, Peckham. The Board of Trade communicated with the Company, and, as the result, the gas was re-connected some six weeks ago. Under the circumstances, I do not propose to move the Attorney General to take action against the Company.

# CENTRAL AFRICA—THE STANLEY EXPEDITION.

MR. ALFRED PEASE (York): I have given notice of my intention to ask the Under Secretary of State for Foreign Affairs whether it is true that the survivors of the slaves with which the Stanley expedition was manned, and which were originally hired from Arab and other owners at Zanzibar, have been handed over to their original owners, and returned into slavery at Zanzibar; and whether it is a fact that the wages they earned on the Expedition have been appropriated by their owners; but at the request of the right hon. Gentleman I will postpone the question.

# PLEURO-PNEUMONIA.

DR. FARQUHARSON: I beg to ask the President of the Board of Agriculture who, under the Pleuro-pneumonia Bill, will be responsible for making and issuing regulations for the movement of cattle throughout the Kingdom; and whether the various Local Authorities will undertake this duty, as formerly, or whether the Board of Agriculture will issue and enforce General Rules to be applied to all parts of the country?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (MR. CHAPLIN, Lincolnshire, Sleaford: The ultimate responsibility for making and issuing regulations for the movement of cattle will rest with the Board of Agriculture, as it formerly did with the Privy Council before the Board was established. How that responsibility will be exercised in all cases it is at the present time impossible to say. It will depend to a great extent upon the prevalence of the disease in the different districts; but I may say that it will always be the object of the Board to act in harmony with, and with the co-operation of, the Local Authorities throughout Great Britain, who will, no doubt, usually carry out the regulations as heretofore.

# THE FISHERIES DEPARTMENT OF THE BOARD OF TRADE.

MR. HENEAGE (Great Grimsby): I beg to ask the President of the Board of Trade what alterations have taken place in the Fisheries Department of the Board of Trade in consequence of the lamentable death of Mr. Gray and the promotion of

Mr. Swanston; whether it is true that Mr. Berrington will continue to hold the position of Chief Inspector as well as the office of Assistant Secretary of the Fisheries Department; what will be the future position of Mr. Malan at the Board of Trade; and who will in future conduct such local inquiries as may be necessary from time to time in the general interests of those engaged in the great sea fisheries industry of this country?

SIR M. HICKS BEACH: In consequence of Mr. Swanston's appointment to the post formerly held by Mr. Gray, the appointment of Assistant Secretary for the Fisheries Department has been conferred on Mr. Berrington, who holds it concurrently with that of Chief Inspector of Fisheries. The status of Mr. Malan will not be altered by this arrangement. Local inquiries will in future be conducted as a rule by Mr. Malan and Mr. Fryer; but Mr. Berrington, in his capacity of Chief Inspector, will be able to inquire in any especially important case in which the Board desire so to employ him, when compatible with the conduct of his duties as Assistant Secretary.

# THE INDUSTRIAL PROPERTY CONVENTION.

MR. MUNDELLA: I beg to ask the President of the Board of Trade when the Report of the Industrial Property Convention, recently held at Madrid, will be in the hands of the Members; and whether, having regard to the desirability of its being considered by the Merchandise Marks Committee now sitting, he will facilitate its production as early as possible?

SIR M. HICKS BEACH: I have had the Report and relative Papers sent to the printers, and will do all I can to facilitate their production as early as possible.

# THE HUDDERSFIELD COUNTY BOARD.

DR. TANNER: I beg to ask the Secretary of State for the Home Department whether it is known to the Bench that the legal business of Mr. John Sykes, solicitor, the clerk to the Huddersfield County Board of Magistrates, is carried on under the name of John Sykes and Son; and whether it is a regular practice for the junior partner

of the firm in question to appear before the Magistrates as an advocate?

MR. MATTHEWS: I have not yet received a reply from the Magistrates; but from the information which I have obtained I believe the answer to both paragraphs to be in the affirmative. The Clerk to the Justices informs me that his son was admitted a solicitor in 1872, on the express condition that the partnership was not to include anything in connection with the Magistrates' Clerk's Department of the Office, which has always been carried on separate and distinct from the General Solicitors' Business of the Office. I am assured that the son has in no way interfered with the business of the Magistrates Clerk's Department, and has received no portion of the salary appertaining thereto.

#### THE POST OFFICE.

MR. ALFRED THOMAS (Glamorgan, E.): I beg to ask the Postmaster General if it is a standing rule in the Post Office, when a new Order is issued by the Postmaster General, to require all the officials to whom such Order applies to sign their adherence to the Order; if the Order relating to meetings of Post Office servants, issued a fortnight ago, applies to the whole of the Postal staff, and why the Telegraph clerks only were required to sign the Order; if he is aware that a number of the clerks signed the Order under protest; and if their action will render them liable to punishment, or place them at any disadvantage in the Postal Service?

\*THE POSTMASTER GENERAL (MR. RAIKES, University of Cambridge): When a new Order is issued the heads of Departments are responsible that it is made known to their subordinates; and to this end they must take such steps as they consider necessary. The Order to which the hon. Member refers applies to the whole body of Post Office servants; but whether in one office they are called upon only to read the Order, and in another to sign it, is a matter for their own superior officer, and one in which I should not think of interfering. I am not aware whether any Post Office servants signed under protest or not. The protest, if protest was made, would not come under my official cognisance and would certainly entail no disadvantage to any officer who complies with

the Order. I take this opportunity of stating that the Order in question as regards shorthand writers applies only to general meetings and not to committee meetings.

#### THE LICENSING QUESTION.

MR. SUMMERS (Huddersfield): I beg to ask the Chancellor of the Exchequer whether he will consider the propriety of dividing the Local Taxation (Customs and Excise) Duties Bill into two Bills, and of dealing with the Licensing Question in a separate measure?

\*MR. GOSCHEN: No, Sir; we cannot undertake to consider this recommendation. It strikes me it would be bad policy to do so.

MR. T. M. HEALY (Longford, N.): I beg to ask the President of the Local Government Board if the Government intend by implication to reverse the recent decision of the English Courts in "Sharp v. Wakefield" that refusal to renew a licence was in the discretion of the magistrates; and, if not, why is it proposed to provide that the renewal of new licences granted after the passing of the Local Taxation Bill shall be "at the free and unqualified discretion of the Licensing Authority."

\*MR. RITCHIE: We have no intention whatever, by implication or otherwise, to attempt to reverse the decision referred to. The words "at the free and unqualified discretion of the Licensing Authority" were inserted in the Bill not for the purpose of in any way expressing a judgment upon the question raised in the case cited or of asking the House to do so, but simply to make it clear that no rights whatever should attach in the case of new licences.

In reply to a further question by Mr. T. M. HEALY

\*MR. RITCHIE said: I do not wish to discuss the exact bearing of the decision. All I can say is that Her Majesty's Government have no intention to put any words in the Bill which can in any way prejudice the question as to the right to the renewal of licences. The question will be raised when the House goes into Committee on the Bill, and if it can be shown that there is anything in the Bill implying more than I have stated we should have no objection to its being amended.

MR. ROWNTREE (Scarborough): I beg also to ask the right hon. Gentleman on what basis the Probate Duty is assessed on public house licences?

\*MR. GOSCHEN: The value of a licence is included in the value of the "goodwill" (on which Probate Duty is paid). The goodwill is generally included in the valuation of the lease, and the value of a licensed house is greater than that of another house of similar dimensions used for a trade where a licence is not required.

\*MR. H. H. FOWLER: Is the duty levied on the property of the brewer-owner, or of the tenant occupier?

\*MR. GOSCHEN: It is levied on the property of the man who dies. It is levied solely on such interest as the deceased possessed in the licence.

SIR W. HARCOURT (Derby): Will the right hon. Gentleman give information as to the terms on which the goodwill is valued?

\*MR. GOSCHEN: I will consult the Inland Revenue on the subject. I think that the House is entitled to full information on the point.

MR. ROWNTREE: I beg to ask the Chancellor of the Exchequer if the Government will furnish the House with particulars of the amounts received by the Commissioners of Inland Revenue in the last financial year in the various counties and boroughs in respect of on-licences in such counties and boroughs?

\*MR. GOSCHEN: It would be impossible to furnish the information for which the hon. Member asks for some weeks.

SIR W. LAWSON: Will the right hon. Gentleman put off the Bill till the information is in possession of the House?

\*MR. GOSCHEN: Certainly not, because that would be to run the risk of postponing the measure indefinitely. Of course, there is a considerable amount of general information at the disposal of hon. Members.

#### PIG IRON WARRANTS.

MR. AINSLIE (Lancashire, N. Lonsdale): I beg to ask the Attorney General if he can hold out any hope that, in view of the manifest disturbance of trade consequent upon irregular dealings in pig iron warrants, the Government will bring in a Bill to place all dealings

in these Warrants under the same regulations as those which govern dealings in Stocks and shares?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I am aware that the speculative dealings have caused serious disturbance of the markets, but I am not acquainted with any regulations governing dealings in Stocks and shares which would prevent such speculations; but I may point out that the evil can be, to a great extent, prevented by purchasers insisting on the identification of the parcels purported to be sold.

#### THE MACCLESFIELD SAVINGS BANK.

MR. HOWELL (Bethnal Green, N.E.): I beg to ask the Attorney General whether Mr. P. J. Eaton, the actuary of the Macclesfield Savings Bank, is still on the Commission of the Peace for the borough of Macclesfield; and whether the attention of the Lord Chancellor has been called to the evidence given before the Commissioner at the inquiry into the affairs of the Macclesfield Savings Bank, and especially that portion of the evidence which relates to the actuary and the way in which the position of a Justice of the Peace was obtained, or sought to be obtained; and, if so, whether the Lord Chancellor has come to any decision in the matter?

SIR R. WEBSTER: I am informed that Mr. Eaton is still on the Commission of the Peace. The matter is still engaging the attention of the Lord Chancellor.

#### PRIVATE BILL PROCEDURE (SCOTLAND) BILL.

MR. SINCLAIR (Falkirk, &c.): I beg to ask the First Lord of the Treasury whether, considering the great desire expressed in Scotland for the passage of some measure dealing with Scotch Local Bill Legislation, he is able now to fix a day for the Second Reading Debate on the Private Bill Procedure (Scotland) Bill?

\*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I hope that the Second Reading of the Private Bill Procedure (Scotland) Bill will be taken before Whitsuntide.

### PUBLIC HEALTH OF THE METROPOLIS.

**MR. JAMES ROWLANDS:** I beg to ask the First Lord of the Treasury when the Government intend to introduce the Bills dealing with consolidation and amendment of the laws with respect to public health in the Metropolis, and to the dwellings of the working classes?

**\*MR. W. H. SMITH:** The Government hope to be able to introduce the Bills dealing with the consolidation and amendment of the laws with respect to public health in the Metropolis and to the dwellings of the working classes shortly before Whitsuntide.

### THE SALFORD FRAUDS.

**MR. SUMMERS:** I beg to ask the First Lord of the Treasury whether the attention of the Government has been called to the Petitions of the Salford Corporation, and of the ratepayers of Salford, praying that a Commission should be appointed to inquire into the alleged fraudulent transactions in connection with the Corporation contracts; and whether it is the intention of the Government to accede to the prayer of the Petitioners?

**\*MR. W. H. SMITH:** It is not in the power of the Government to appoint a Commission with power to examine witnesses on oath. For the appointment of such a Commission legislation is necessary, and it is for hon. Members who are interested in the question, and who think this is the best way of proceeding to introduce the necessary Bill.

In reply to a further question from **MR. SUMMERS,**

**\*MR. W. H. SMITH said:** It is not the duty of the Government to take the initiative in the matter.

### FALSE IMPRISONMENT ON PERJURED EVIDENCE.

**MR. CUNINGHAME GRAHAM (Lanark, N.W.):** I beg to ask the Secretary of State for the Home Department if it is possible to give any compensation to the men Gleeson, Brady, Brooks, and Whaley, for false imprisonment?

**MR. MATTHEWS:** I have nothing to add to the answer which I gave to this question of the hon. Member on the 21st of last month.

### SILVER PLATE.

**MR. HENRY J. WILSON (York, W.R., Holmfirth):** I beg to ask the Chancellor of the Exchequer how drawback can be obtained on silver plate sold and delivered between the present time and such time in June as the Revenue Office may pass them?

**\*MR. GOSCHEN:** I intend to introduce a clause in Committee of the Budget and Inland Revenue Bill providing for interim sales of silver plate, which I understand the hon. Member wishes to facilitate. The clause shall be put upon the Paper immediately after the Second Reading in order to give publicity to the arrangements.

### DOG MUZZLING AND RABIES.

**DR. TANNER (Cork Co., Mid):** I beg to ask the President of the Board of Agriculture whether the point of division of the two Counties of Bucks and Middlesex, as on the Uxbridge Road, the Dog Muzzling Order is enforced on one side of the road and not on the other, and why, if the Order is intended to stamp out hydrophobia, this and similar areas of muzzling are so peculiarly defined?

**MR. CHAPLIN:** All Orders apply to districts of Local Authorities. The boundaries of districts are not fixed by the Board. It occasionally happens that the boundary line runs down the centre of a road. The difficulty cannot be got rid of without having a special survey in order to define the district to which an Order should apply. I am unable to say in this particular instance whether the hon. Member is right, but probably he is. The case frequently occurs, and for this reason: that the areas are prescribed according to the jurisdiction of the Local Authorities who carry out the Order. I am quite aware of the anomaly, but it is an anomaly which cannot be avoided unless the Order was to be made universal throughout Great Britain.

**MR. HERBERT KNATCHBULL-HUGESSEN (Kent, Faversham):** I beg to ask the President of the Board of Agriculture whether he can now see his way to restrict the Dog Muzzling Order in the County of Kent to those parts of the county within the Metropolitan area?

**MR. LEES (Oldham):** I also beg to ask the right hon. Gentleman whether he is able to give the House any information as to the effect of the Muzzling Orders now in force; whether any appreciable diminution in the number of cases of rabies and hydrophobia has taken place in consequence of those Orders; and whether, in view of the great inconvenience which is caused by those Orders to owners of dogs throughout the country, he is able to hold out any prospect of their being shortly rescinded?

**MR. FARQUHARSON (Dorset, W.):** I have further to ask the right hon. Gentleman whether his attention has been called to the Report of the Executive Committee of the London County Council for the quarter ending March 31st last, which states that the number of rabid dogs for the quarter is seven as against two in the corresponding quarter of last year; whether the alleged general increase of rabies in scheduled districts has been accompanied by a corresponding increase in the cases of hydrophobia; in how many, if any, of the alleged outbreaks of rabies relied in by the Board of Agriculture, in justifying the Muzzling Order, was the alleged rabid dog under the observation of a veterinary surgeon of experience while still living; whether the remuneration of veterinary surgeons employed by the Board depends in any way upon the number of dogs declared rabid; and whether, owing to the increase of rabies in the scheduled districts, he can hold out any hopes of withdrawing the Muzzling Order?

**\*MR. AINSLIE:** Is the right hon. Gentleman aware of the fact that in Constantinople there are upwards of 30,000 dogs that are without owners or control; that they have all their young in the streets; and that no case of rabies has occurred among them; and whether these facts have been brought forward in the evidence before the Commission?

**MR. CHAPLIN:** In reply to the question which has been put to me last, I am not aware that the data referred to were placed before the Royal Commission or not, but I have referred to the evidence without finding them. Evidence of an opposite character was given before the Commission by Professor Horsley and Sir C. Warren, and the hon. Member will find that in Dr. Fleming's able

book upon rabies and hydrophobia. The contention that hydrophobia does not exist in Turkey or Constantinople is disputed, and I think disposed of. In reply to my hon. Friends behind me, it will be convenient to answer both questions at once, and the answer is this: The Returns of deaths from hydrophobia since the Muzzling Order came into force are not at present in the hands of the Board of Agriculture. But I am glad to say, with regard to rabies, that in every county which has been placed under the regulations, and in the country as a whole, there has been a marked diminution in the number of outbreaks since the passing of the Order. For instance, in 1889, for the last two quarters of that year there were 133 cases in the third and 81 cases in the fourth quarter reported to the Board. For the first quarter of the present year they have been reduced to 39, and for the month of April there have only been seven cases throughout England, as compared with 11 for March, 14 for February, and 14 for January of the present year. In the Metropolis and the West Riding, although there has been a large diminution, cases are still of constant occurrence, and there have also been comparatively recent outbreaks in Hampshire and West Sussex, in which latter county a Muzzling Order has been imposed by the Local Authority. With regard to Lancashire and the home Counties of Essex, Hertfordshire, Surrey, and Kent, so far as they are not included in the Metropolitan district, no cases have been reported for a considerable period, and if the Reports continue to be as favourable in the case of the home counties as they have been of late I shall hope to be able to modify the Order, if it is not suspended, at no distant time. I may be allowed to add, as it will be of interest to the public, that, since the Order has been enforced, of the rabid dogs seized in public places nine were properly and securely muzzled, and were thus prevented from doing mischief.

#### THE INDORE STUDENTS' ASSOCIATION.

**MR. BRADLAUGH (Northampton):** I beg to ask the Under Secretary of State for India whether he is aware that Mr. Kenvey, Agent to the Governor General of India, at Indore, has recently issued a notice that—

"No Association should be organised within Residency limits without the Agent to the Governor General's permission and approval."

"The so-called Indore Students' Association is not recognised as a public Association so far as the Residency limits are concerned, though of course there is no objection to private persons meeting and debating as much as they please, provided they do not transgress the law;"

"No official, student, or school-boy connected with the Residency Establishment is permitted to join any Association within the Residency limits which has not been approved by the Agent to the Governor General. And no such official, student, or school-boy may, without special permission, attend the meeting or meetings of any unauthorised Association within Residency limits."

whether he can state under what authority such notice has been issued; whether there is any precedent for the issue of such a notice; whether the notice has been approved by the Government of India; and whether the Secretary of State will call for a Report on the circumstances leading to the issue of such notice?

**\*THE UNDER SECRETARY OF STATE FOR INDIA** (Sir J. GORST, Chatham): The Secretary of State has no official information on the subject. The notice appears to be within the ordinary authority of the Agent to the Governor General, and does not seem to the Secretary of State to call for special inquiry.

**\*MR. BRADLAUGH**: Has the Agent ordinary authority to interfere with a meeting of native Indians?

The question was not answered.

#### INDIAN FACTORY LAW.

**MR. HOWORTH** (Salford, S.): I beg to ask the Under Secretary of State for India whether children are allowed to work in Indian cotton factories at seven years of age, and to be kept at work for nine hours per day, also whether it is the case that there are no restrictions whatever affecting the employment of young persons over 12 years of age or of women in regard to the number of hours during which they may work; and whether, in view of the fact that the Berlin Labour Conference recommended that children should not be admitted to work in any industry under 12 years of age, and then only for six hours per day till they were 14, that young persons from 14 to 16 years of age should not work more than 10 hours per day, and that women

should in no case work more than 11 hours per day, Her Majesty's Government propose to take any steps to bring the Factory Law in India into conformity with the Berlin standard?

**\*SIR J. GORST**: The existing Factory Law of India is correctly stated in the question. A Bill has been introduced which is not yet passed, raising the age at which children can be employed to 9, and restricting the hours of labour of women to 11. The Secretary of State will send the Resolutions of the Berlin Conference to the Government of India, and will commend them to the careful consideration of that Government, in connection with the proposed amendment of the Factory Law.

**MR. MUNDELLA**: Will any proposal by the Government of India for the amendment of the Factory Law come before this House before it is adopted by the Council of India?

**SIR J. GORST**: No, Sir; I do not suppose it will be brought before the House.

#### THE EX-SULTAN ABDULLAH OF PERAK.

**MR. FRANCIS STEVENSON** (Suffolk, Eye): I beg to ask the Under Secretary of State for the Colonies whether, in view of the highly doubtful character of the evidence on the strength of which the ex-Sultan Abdullah of Perak was sentenced in 1876, and to the length to which his term of deportation to the Seychelles Islands has extended, the Colonial Office will consider the desirability of allowing him to return to the Malay Peninsula?

**BARON H. DE WORMS**: As I stated in answer to a similar question by the hon. Member last July, the Executive Council of the Straits Settlements were fully satisfied of the guilt of the ex-Sultan Abdullah of Perak in 1876, and nothing has since occurred to throw any doubt on the justice of the decision then taken that he should be removed to the Seychelles. Her Majesty's Government cannot sanction his return to the Malay Peninsula, and Abdullah declined an offer made last year that he should be allowed to reside in Sarawak, among people of his own race, language, and religion.



## THE CRAWFORD CASE.

MR. BRADLAUGH: I beg to ask the First Lord of the Treasury whether, in view of the grave statements in the Papers laid upon the Table as to the effect of the action of the Secretary of State with reference to the action of the Government against the Mamlatdars incriminated in the Crawford Case, he will afford facilities for the discussion of the Motion on the Paper in the event of its not being reached on Tuesday?

\*MR. W. H. SMITH: The Government are quite prepared to discuss the question which the hon. Member is desirous of raising; but it will be impossible for them to afford facilities.

\*MR. BRADLAUGH: Is not the right hon. Gentleman aware that an officer of the Government has declared that he had difficulty in expressing his feelings in regard to the breach of faith which has been committed in becoming language; and whether that statement is not sufficiently grave to justify the question being raised here?

MR. W. H. SMITH: I am aware that language of that character has been used by an officer who stands high in the service of the Government of India; but if the Government were, considering the limited time at their disposal, to grant time for the consideration of such questions, I am afraid it would necessitate our having two Houses of Commons.

\*MR. BRADLAUGH: I wish to give notice that, in consequence of the information I have received from Members on both sides of the House who desire to take part in the Debate upon this question, I shall not bring my Motion on to-morrow evening unless I can do so before 11 o'clock.

## IRELAND—MR. H. STUBBS, J.P.

MR. MAC NEILL: I beg to ask the Attorney General for Ireland whether his attention has been directed to the fact that Mr. Henry Stubbs, J.P., who lives with his brother, Mr. Alfred Stubbs, solicitor, is accustomed to adjudicate in cases at Petty Sessions in Ballyshannon in which Mr. Alfred Stubbs is professionally employed; whether he is aware that this practice has created grave distrust in the administration of the law and the decisions of the Magisterial Bench, and

has given occasion to repeated comments and protests in the public Press; whether he is aware that Mr. Alfred Stubbs, on the 10th April, appeared as solicitor in cases before a Magisterial Bench composed of three members, of whom one, Mr. Hamilton, is closely connected with Mr. Alfred Stubbs by marriage, and another is the said Mr. Henry Stubbs; and whether the Government will take any steps to prevent the repetition of such proceedings?

THE ATTORNEY GENERAL FOR IRELAND (MR. MADDEN, University of Dublin): I am informed that no complaint has reached the Lord Lieutenant of Ireland on the subject.

## LIEUTENANT COLONEL SPEEDY.

MR. MAC NEILL: I beg to ask the Secretary of State for War whether his attention has been directed to the case of Lieutenant Colonel Speedy, who, having held the post of Adjutant of the Royal Hibernian Military School for a period of 26 years, during 12 of which years with the rank of Lieutenant Colonel in the Army, was called on to resign in October, 1880, on the ground of age; whether he is aware that Colonel Speedy's repeated applications, under the provisions of the Royal Warrant of 1878, Article 23, par. f., authorising his retirement for the rank of Colonel in the Army, and the pension attaching thereto, have been refused, on the ground that his post was not a military one within the meaning of the said Warrant; and whether, having regard to the fact that the view of the War Office Authorities on this question is opposed to the opinion of Lord Chief Baron Palles and the Charters of the Royal Hibernian Military School, which expressly define the military character of the post of Adjutants, and having regard also to the fact that Colonel Speedy had served in Her Majesty's Army for a period of 42 years, receiving promotion for gallantry on the field, and that the result of the refusal of his claim is his retirement as Major with £300 per annum pension instead of his retirement as Colonel with £420 per annum pension, he will permit the case of Colonel Speedy to be re-opened, and the opinion of the War Office to be submitted to the test of legal examination, as was done in the similar case of Colonel Addy?

\*MR. E. STANHOPE: My attention, and that of several of my predecessors, has been repeatedly drawn to the case of Lieutenant Colonel Speedy. It has been uniformly held that the position of Adjutant to the Royal Hibernian Military School, for boys the sons of soldiers, could not be regarded as a military appointment qualifying for the rank of Colonel in the Army, and I am not prepared to question that decision. The hon. Member is mistaken in supposing that the case of Colonel Addy was submitted to legal investigation.

#### THE BALTIMORE FISHING INDUSTRY.

DR. KENNY (Cork, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that owing to the transference of the Custom House from Skibbereen to Bantry very great inconvenience and injury are caused to the Baltimore Fishing Industry; whether, according to the existing Custom arrangements in Skibbereen, the Deputy Officer of Customs in that town is unable to give permission for the discharge of cargoes of ice absolutely essential for the preservation of the fish caught by the Baltimore fishermen, and also that it is impossible for him to obtain permission by telegraph from Bantry to do so, and whether, in consequence, steamers for conveying the fish have to wait at Baltimore the arrival from Bantry, 24 miles distant, of the Superintendent of Customs; and whether he will take steps to have abated the inconvenience complained of, by restoring the Custom House to the Skibbereen District?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I think that the Treasury will reply to this question; but I do not see that my hon. Friend the Secretary to the Treasury is present at this moment.

A LORD OF THE TREASURY (Sir H. MAXWELL, Wigton): Perhaps the hon. Member will kindly postpone the question until Thursday,

#### CASE OF MR. DALY.

MR. M'CARTAN (Down, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will state on what date Mr. Daly and the other prisoners convicted of boycotting

the Great Northern Railway at Carrickmacross were transferred from Derry to Belfast Gaol; and if he will explain why they were obliged to wear the prison uniform on their journey, and handcuffed when brought through the streets of Belfast?

MR. A. J. BALFOUR: I have not obtained the information that would enable me to answer the question, but I hope to have it by to-morrow.

#### REGISTRY OF DEEDS OFFICE (IRELAND.)

MR. SHEEHY (Galway, S.): I beg to ask the Secretary to the Treasury if he is aware that the state of the Registry of Deeds Office (Ireland), owing to increased business and a diminished staff, is such as to cause serious inconvenience to the public, and if the annual official leave of absence has been in consequence curtailed and postponed; whether the Registrar's urgent requests for the necessary addition to the staff, in order to finish the Consolidated Indexes for public use, and work off arrears, have been refused; and whether he will now take steps either to adequately increase the staff, or to apply the seven hours' scheme of attendance?

SIR H. MAXWELL: There has been no increase in the business of the Department, and the staff is in excess of the proper number. It is not proposed, therefore, to sanction any addition to the staff. The question of applying the seven hours' scheme to the Office is under consideration.

MR. SEXTON (Belfast, W.): Will the hon. Gentleman lay on the Table a copy of the Report of the Registrar in which he states that an addition to the staff is necessary?

SIR H. MAXWELL: I will consider the matter.

#### THE TRIAL OF CAPTAIN RYE.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has been informed, in connection with the recent trial of Captain Rye, D.L., that Constable Noonan, of Castlemore Police Barrack, Crookstown, County Cork, employed a farmer named William M'Carthy, of Crookstown, on Sunday, 16th March, to send his car to convey Jeremiah Corcoran

to Farrar Court, on the 18th March last, to enable him, being wounded and unable otherwise to travel, to give evidence in the case of the "*Queen v. Rye*"; whether the police were requested by one or several gentlemen of position not to press Corcoran to go and give evidence before the Court, the case having been settled, and whether Constable Noonan is correctly reported to have told the car-owner, on the 17th March, that the car would not be required to take Corcoran to Court; whether District Inspector St. George was informed by the men under his command that a settlement of the case had been concluded; and whether Mr. St. George first visited Captain Rye, accused of unlawfully and maliciously wounding his tenant Corcoran, prior to calling on the wounded man?

MR. A. J. BALFOUR: The Constabulary Authorities report that it is the case that the constable engaged a car to convey the man to Petty Sessions. No such request as that alleged in the second paragraph was made to the police. The reason for countermanding the order for the car was that the man had subsequently caused the police to be informed that he was not in a condition to attend the Court, and forwarded a medical certificate to that effect. The reply to the inquiry in the third paragraph is in the negative; to that in the fourth paragraph in the affirmative.

CASE OF MR. J. SLATTERY, AND  
MR. T. BARRY.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it would be possible to provide Mr. John Slattery, T.C., and Mr. Tom Barry, P.L.G., both being bail prisoners in the County Cork Gaol, with rooms at their request, in accordance with the Prison Rules, the prison in question being one in the first Class; and if it is true that Mr. Slattery is obliged to see his wife in the visiting room known as the "cage?"

MR. A. J. BALFOUR: The General Prisons Board report that the prisoners mentioned are already provided with the accommodation set apart for prisoners of their class. They receive their visitors in the usual visiting room, which is heated, lighted, and furnished.

*Dr. Tanner*

DR. TANNER: Did not the right hon. Gentleman say last year that all bail prisoners would be treated as first-class misdemeanants? Will he not, therefore, take steps to obtain for them such privileges as I enjoyed myself when a prisoner in Clonmel Gaol?

MR. A. J. BALFOUR: I must ask the hon. Gentleman to give notice of the question.

DR. TANNER: Will the right hon. Gentleman allow Mr. John Slattery to receive his wife in the same way that I was allowed to receive mine?

MR. A. J. BALFOUR: So far as my information goes I am not led to suppose that these prisoners are treated differently from other prisoners of the same class.

MR. FLYNN (Cork, N.): What is called a separate apartment consists of a room divided by a grating.

DR. TANNER: I beg to give notice that I will call attention to this matter on the first favourable opportunity.

MR. C. P. COOTE.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can explain the circumstances under which Mr. C. P. Coote, a paid official on the staff of the Lord Lieutenant of Ireland, and a Director of the Great Southern and Western Railway of Ireland, was granted special leave of absence during the last Cork Assizes, to enable him to attend in Cork as a Grand Juror for the purpose of opposing the projected Cork and Wexford Railway Bill in favour of the Great Southern and Western Railway?

MR. A. J. BALFOUR: The gentleman mentioned, who is the owner of property in the County of Cork, received the usual notice to attend as a Grand Juror at the late Assizes. His doing so in no way conflicted with his official duties. I have no information as to the particular business which came before the Grand Jury.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the action of Mr. C. Purdon Coote, at the Board of Conservators of the Lismore District, in endeavouring to procure the removal of Captain J. W. Johnstone from his position of Inspector; whether any reasons have been assigned for this action of Mr. Coote; and whether

any steps will be taken to see that full justice is done to Captain Johnstone in the matter?

MR. A. J. BALFOUR: This is a matter which in no way comes under the cognisance of the Irish Government, and therefore I am unable to answer the question.

DR. TANNER: Did not Mr. Coote say that he was going against Captain Johnstone in order to deprive him of his position of Inspector in consequence of Captain Johnstone having summoned him and had him fined for illegal fishing?

MR. A. J. BALFOUR: I have received no information of that character.

#### LOCAL TAXATION BILL.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the First Lord of the Treasury whether, in view of the widespread interest attaching to the subject of licensing and the vital importance of the proposals for extinction and compensation in the Local Taxation (Customs and Excise) Duties Bill, and the fact that the actual terms of the proposals were only circulated on Friday, he will defer the Second Reading of the Bill until its actual effects have been more thoroughly appreciated, and hon. Members have had reasonable time to communicate with those whom they represent on the subject?

MR. CAINE (Barrow-in-Furness): I beg also to ask the First Lord of the Treasury if, in consideration of the great importance of the subject and the strong interest manifested throughout the country, he will postpone the Second Reading of the Local Taxation (Customs and Excise) Duties Bill till after the Whitsuntide Recess?

\*MR. W. H. SMITH: I am not able to accept the suggestions of hon. Members that the Second Reading should be postponed until after Whitsuntide. I shall ask the House to read the Bill a second time on Monday, but it is not intended to take the Committee stage until after Whitsuntide; and I apprehend that the opposition of hon. Members is directed against a clause rather than against the whole Bill, so that ample time will be afforded for the consideration of the provisions in question.

SIR W. LAWSON: It is the principle of the Bill that we oppose, and the principle can only be discussed on the Second Reading.

\*MR. W. H. SMITH: I am aware that it is usual to discuss the principle of a Bill on the Second Reading; but there is more than one principle in this Bill, and I believe that some of the principles are accepted by both sides of the House. If the hon. Gentleman objects to any particular licensing provision of the Bill the best way to give effect to his objection will be to move the rejection of the clause in Committee.

MR. T. M. HEALY: What course do the Government propose to take in regard to the extension of the Suspensory Clauses to Ireland?

MR. A. J. BALFOUR: There will be no inconvenience in hon. Members moving in Committee to extend the Suspensory Clauses of the Bill to Ireland so as to prevent the creation of new licences in that country.

MR. T. M. HEALY: That would deprive us of the opportunity of considering the proposal on the Second Reading stage of the Bill to which we are certainly entitled, because we may not be satisfied with the proposal of the Government. Was there not a distinct pledge by the Irish Office that Ireland should be included in the Bill?

MR. A. J. BALFOUR: I do not think that any objection can be taken with regard to the proposal as it now stands.

SIR W. HARCOURT: I would suggest that the Bill should be committed *pro forma* in order to introduce Amendments. It would be unfair not to take a discussion so far as Ireland is affected.

\*MR. W. H. SMITH: I will undertake that after the Bill has been read a second time the necessary steps shall be taken to introduce a clause into the Bill for extending the Suspensory Clauses to Ireland.

MR. CAINE: I beg to give notice that on Monday next, on the Second Reading of the Local Taxation (Customs and Excise) Duties Bill, I will move that the Bill be read a second time that day six months.

SIR W. LAWSON: I beg to intimate that in the event of the Government persisting in the endeavour to force the Bill through this day week I will avail myself of every opportunity of preventing it coming on until the country has had time to consider it.

## THE IMPORT OF SILVER PLATE.

In answer to Mr. KING (Hull, Central), who put a question of which he had given private notice,

\*MR. GOSCHEN said: Directly the Board of Customs learnt, this morning, that certain foreign silver plate imported in baggage before the 30th of April had been considered by their officers to be still liable to duty they issued the following Order:—

"The Board authorise delivery of plate imported prior to the 1st inst. free of duty, provided it be constructively warehoused. Deposit in the baggage warehouse to be considered a constructive warehousing for this Order. The usual declaration is to be made if the plate is for private use; in that case the assay will not be required."

I may add that the Act requires that such plate should be deposited in a bonded warehouse; and the meaning of the Customs Order is that deposit in the baggage warehouse shall count as warehousing for the purposes of the Act.

## ELECTORAL DISABILITIES BILL.

MR. CAUSTON (Southwark, W.): I wish to point out that the Government have given no notice of any Amendment widening the scope of the Electoral Disabilities Bill.

\*MR. W. H. SMITH: The Government propose to accept the Instruction of the hon. Member for Chelsea (Mr. Whitmore) to remove the disabilities attaching to voters who have been absent from their qualifying premises under any contract of service, or in the execution of a public duty.

SIR W. HARCOURT: Will the Bill be taken to-morrow?

\*MR. W. H. SMITH: I hope it will be reached to-night, but I should not propose to take it after 11 o'clock. The business to-morrow will be the Customs and Inland Revenue Bill in Committee.

## PUBLIC BUSINESS.

MR. BARTLEY (Islington, N.): Will Order No. 9—Savings Banks Bill, Second Reading—be taken to-night?

\*MR. GOSCHEN: No.

MR. DILLON (Mayo, E.): What will be the business on Thursday and Friday?

\*MR. W. H. SMITH: It is difficult to say. We must wait until we have disposed of the Customs and Inland Re-

venue Bill before it is possible to give a forecast of the progress of public business. We shall be prepared to deal with any of the Bills on the Paper if we can reach them.

MR. COBB (Warwick, S.E., Rugby): Will the Allotments Bill be taken to-night? I suppose there is no chance of our reaching it.

\*MR. W. H. SMITH: There has been a great deal of discussion on the Bill, and if it is reached I think it would be only reasonable to proceed with it.

MR. COBB: Up to what time will it be dealt with?

\*MR. W. H. SMITH: Up to 12 o'clock.

MR. BRYCE (Aberdeen, S.): Will the Contagious Diseases (Animals) Bill be taken to-night?

\*MR. W. H. SMITH: If it is reached.

DR. TANNER: Will Supply be taken this week?

\*MR. W. H. SMITH: We shall certainly take it if we can.

## BRITISH MUSEUM.

Copy ordered—

"Of Account of the Income and Expenditure of the British Museum (Special Trust Funds) for the year ending the 31st day of March 1890."

"And, Return of the number of Persons admitted to visit the Museum and the British Museum (Natural History) in each year from 1884 to 1889, both years inclusive, together with a Statement of the Progress made in the Arrangement and Description of the Collections, and an Account of Objects added to them, in the year 1889."—(Sir John Lubbock.)

## STATUTE LAW REVISION BILL

[LORDS.]—(No. 179.)

Bill reported from the Select Committee, with Special Report.

Report to lie upon the Table, and to be printed. [No. 110.]

Minutes of Proceedings to be printed. [No. 110.]

Bill, as amended, re-committed to a Committee of the whole House for Thursday, and to be printed. [Bill 251.]

## SWEATING SYSTEM.

Ordered, That a Message be sent to The Lords, to request that their Lordships will be pleased to communicate to this House, a Copy of the Fifth Report from the Select Committee appointed by their Lordships on the Sweating System, with the Proceedings of the Committee.—(Mr. R. Toth.)

## NEW WRITS.

For County of Tipperary (Mid-Division),  
v. Thomas Mayne, esquire, Manor of  
Northstead; County of Galway (Eastern  
Division), v. Mathew Harris, esquire,  
deceased.

## MESSAGE FROM THE LORDS.

That they have agreed to South Indian  
Railway Purchase Bill without Amend-  
ment.

KEW AND PETERSHAM VICARAGE  
BILL.—(No. 229.)

Bill considered in Committee, and  
reported, without Amendment; Bill  
read the third time, and passed.

## ORDERS OF THE DAY.

CUSTOMS AND INLAND REVENUE  
BILL.—(No. 231.)

## SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed,  
“That the Bill be now read a second  
time.”

\*(4.45.) MR. SYDNEY BUXTON  
(Tower Hamlets, Poplar): We on this  
side suffer under two disappointments  
in regard to the Budget Statement  
of the right hon. Gentleman the  
Chancellor of the Exchequer. One  
is that he has done nothing to carry out  
the pledge of the Government with  
regard to assisted education; and the  
other is that he has neglected to do any-  
thing to reform the Death Duties by  
equalising the burdens on personalty  
and realty. We are glad to believe,  
from what the Chancellor of the Ex-  
chequer has since said, that he is  
absolutely pledged to providing for free  
schools next Session; and it is probable,  
from the under estimate he has made  
of the revenue for the year and the  
way he has provided for certain items of  
expenditure which will not recur, that he  
will have a surplus which will enable  
him to carry out his pledge. The right  
hon. Gentleman is also understood to  
have practically pledged himself to turn  
his attention to the reform of the Death  
Duties, combined with a reform of the  
Income Tax. If he does this without  
fear and favour, as a strong Chancellor of

the Exchequer ought to do, he will have  
warm supporters on the Opposition side  
of the House. I am by no means sure,  
however, that that proposal, combined, as  
we hope it will be combined, with assisted  
education, will endear itself to the hearts  
of country Gentlemen opposite, if they  
have to pay for the reform with an  
increased duty on realty. Then some of  
us—though we did not expect much—  
thought that the right hon. Gentleman  
would have done something in a small  
way in the form of restitution to the  
Sinking Fund, which he had so  
shamelessly plundered. The right hon.  
Gentleman has boasted of the reductions  
of Debt he has made, but I should  
like to point out that the power to  
reduce the Debt has arisen to a very  
large extent from casual and unexpected  
surpluses and windfalls; and while pay-  
ing off Debt the right hon. Gentleman  
has been borrowing money for coaling  
stations, for Imperial defence, for naval  
extension and other matters; and it really  
makes no practical difference whether the  
money is taken out of the balances or  
is raised by loan. The Budget has been  
praised as a great Budget, a popular  
Budget, and one that vies with the  
famous Budget of old. I admit that the  
Budget is intended to be a popular one,  
but I deny that it is a great Budget.  
From a fiscal point of view it aims at too  
much, and it does not attempt to do any-  
thing thoroughly. It does not show any  
financial reform or fiscal improvements,  
such as has marked the Budgets to which  
it has been compared. It is not the  
kind of Budget the right hon. Gentleman  
the Member for Mid Lothian would have  
proposed if he had had the opportunity.  
The Chancellor of the Exchequer, to my  
mind, has frittered away a great oppor-  
tunity for the sake of a passing popularity.  
He has attempted to do too many things,  
and the result is that he has done them  
all badly. By the surplus of Revenue  
over Expenditure and the imposition of  
taxation the right hon. Gentleman had a  
surplus of £4,750,000—a surplus which  
has been only twice approached and only  
once exceeded during the last 30 or 40  
years. I do not object in principle to the  
increase in the Beer and Spirit Duties.  
The Spirit Duty has not been raised for  
the past 30 years; and it is a financial  
axiom of this country that while as to  
harmless articles of general consumption

you ought to get as large a revenue as you can spread over the largest area of consumption, while as far as the Spirit Duties are concerned, the principle has always been acted on to get the largest Revenue you can from the smallest area of consumption; and that you are only to be stayed by the fear of causing a reduction in consumption, so as to prejudicially affect the Revenue, by a fear of causing smuggling or greatly encouraging adulteration. It is doubtful, however, whether it is wise in a year of peace and surplus to increase the taxes on beer and spirits; because those taxes and the Income Tax are the great sources from which we can obtain an increase of Revenue when war or other serious emergency arises. It is curious to note that the policy of the Government is the exact reverse of their attitude in 1885. They now propose to increase the Beer and Spirit Duties and to decrease the Tea Duty; but, in 1885, when the Liberal Government, under stress of war expenditure, proposed to increase the Beer and Spirit Duties, they opposed the scheme, and as a counter proposal suggested that the duty upon tea should be increased. Well, the Chancellor of the Exchequer has a surplus of £4,750,000. I will not detain the House by discussing what I may call the minor proposals of the Budget as to barracks, volunteers, postage, and so on, which may practically reduce the surplus to a little over £4,000,000. I do not desire in my remarks to attempt an alternative Budget. But I think the money at his disposal might have been better dealt with fiscally if he had included a smaller number of articles and had given them thorough relief. Everyone in this House, I think, is in favour of a reduction of the duties on tea and on currants and of the House Duty; and we hail with satisfaction the further step the Chancellor of the Exchequer has taken to introduce, in reference to the last duty, the principle of graduated taxation. But I think it would have been better to have entirely abolished the Currant Duty, so as to have saved the cost of collection and prevented the great disturbance to trade which is always involved in the collection of the Customs Duty, both of which will now be out of all proportion to the revenue received. It would have been better also to have reduced

*Mr. Sydney Buxton*

the Tea Duty by one-half instead of by the 2d. now proposed. It is a fiscal axiom that the larger the reduction the greater is the proportionate recovery of the revenue. The Chancellor of the Exchequer has adopted a half-hearted measure in regard to the Tea Duty, and it is to be feared that the reduction he has made will go, not to the consumer, but to the middleman. The right hon. Gentleman the other night congratulated himself on the fact that while he had too largely relieved direct taxation during his former term of office he had on this occasion purged his sin by giving a large relief to indirect taxation. But has he made the accounts at all equal? It is admitted that as regards the Income Tax and direct taxation generally there has been a reduction of some £3,000,000 on balance. The reduction made in indirect taxation this year, together with the former reduction of the Tobacco Duty, which he said would not affect the consumer, amounts to about £2,250,000.

**\*THE CHANCELLOR OF THE EXCHEQUER** (Mr. GOSCHEN, St. George's, Hanover Square): I never said anything of the kind.

**\*MR. SYDNEY BUXTON:** The right hon. Gentleman in reducing the tax on tobacco said it was purely a fiscal measure and would not affect the price, but was merely a question of water.

**\*MR. GOSCHEN:** The water affects the consumer as much as the price.

**\*MR. SYDNEY BUXTON:** In his Supplementary Budget this year the right hon. Gentleman added £1,300,000 to indirect taxation; and thus we find that while he has reduced direct taxation by £3,000,000 a year, he has reduced indirect taxation by less than £1,000,000 a year. The Chancellor of the Exchequer, when he was "talking shop" among his friends in the City the other day, intimated that there would be a further reduction of the Income Tax later on. I do, in advance, enter a protest against any further reduction of direct taxation unaccompanied by reductions in indirect taxation. One last point. I think the principle which has been adopted, and greatly extended this year, of allocating certain portions of certain Imperial taxes to local purposes is very objectionable, and I do not think the ratepayers are justified in calling on us to pay the very large sum which the Chancellor of the

Exchequer proposes to hand over to them. The deficiency still existing amounted practically to the Horse Duty which was proposed and abandoned. Why the Chancellor of the Exchequer did not proceed with his Horse Duty when he came a cropper over his Van and Wheel Tax I never could understand, because I do not think there was any objection to that tax such as was legitimately taken to the other. That tax was dropped, however, and £540,000 was needed to make up the deficiency. The Chancellor of the Exchequer now proposes to hand over to the Local Authorities not £540,000, but no less than £860,000, besides a further sum of £169,000 for compensation for the slaughter of animals suffering from pleuro-pneumonia. I object to this payment on the ground that until we have a thorough reform of our local and Imperial finances in respect of the incidence of taxation on realty and personalty, we ought not as taxpayers to be called on to vote larger sums for what is practically the relief of realty, which already, during the last two or three years has received enormous relief from its local burdens. I object also to this principle of mixing up Imperial and local finance by voting certain proportions of our Imperial taxes for local purposes. The object of the Chancellor of the Exchequer in 1887-8-9 was entirely to cut adrift local from Imperial finances. And for that purpose he handed over nearly all the Licence Duties, he caused personalty to pay something to the local rate, by giving half the Probate Duty. Now, he is carrying this principle still further, and in an objectionable way, by allocating the 6d. Spirit Duty and the 3d. Beer Duty for a special local purpose; and the result will be that instead of the local revenues being fixed they will fluctuate, and it is probable also that instead of leading to thrift the proposal will lead to extravagance. As far as we are concerned as taxpayers, it will make it very difficult for the Chancellor of the Exchequer to deal with these Spirit Duties or with these Probate Duties with a free hand. If he reforms the Probate Duty, as we hope he will, it will probably be by combining the Legacy and Probate Duty in one; and under these circumstances the Local Authorities will probably obtain very much more than they are entitled

to. If we are to carry on the system of giving further aids to local funds, I think, for Imperial purposes, it would be much better to hand over the whole proceeds of a particular tax instead of only a very small proportion of each. The House Tax might very well be handed over in lieu of these small proportions, and it would enable the Imperial and local accounts to be kept separately and simply. It seems to me that the Chancellor of the Exchequer has neglected a very great opportunity of carrying out real financial reforms, and that he has endeavoured to carry out a popular Budget instead of carrying out a great Budget. He looked to the elections, and not to fiscal and financial considerations.

(5.18.) Mr. H. S. KING (Hull, Central): Though no one has more admiration than myself for the Chancellor of the Exchequer's abilities, I must this night raise my voice in opposition to the chorus of praise with which this year's Budget has been received by hon. Members on this side of the House. I can assure the right hon. Gentleman that I do so with very great timidity; and before I decided to take this step the idea often occurred to me that it was my own intelligence that was in fault, and not the skill of the giant of finance, with whom I am audacious enough to cross swords on this occasion. Certainly, my first impression was one of admiration. I was carried away at the outset by the glamour, the ingenuity, and the mastery of detail shown in the speech of the right hon. Gentleman, whose eloquence for the moment cast a spell over my intellectual faculties; but when I began to reflect quietly and dispassionately, it seemed to me that, after all, the Chancellor of the Exchequer has frittered away a magnificent surplus upon a number of small reforms from which no one can get any sensible relief. I have fought against the feeling as a warm supporter of the right hon. Gentleman and of the Government as long as I can, and it is only with the utmost reluctance that I venture at length to offer any criticism on the proposal of the Chancellor of the Exchequer. Indeed, I would be heartily glad to be convinced that I am in error and in ignorance. My objections to the Budget fall under three heads. It aims at too much; it does too little, and it is



grossly inconsiderate, if not unjust, to the claims of two important sections of the community—the payers of Income Tax and the licensed victuallers. The Budget is one of small things—of twopences and twopence half-pennies—and at the end of the year no one will be a bit the richer for it, while many people will be distinctly the poorer. What are its leading features? What first strikes the eye with regard to it? There are the revision of the Tea Duty, the imposition of a fresh duty on spirits in face of an enormous surplus, and a multitude of peddling tips to taxpayers. My right hon. Friend reminds me of a man who, having inherited a fair estate, wakes up some morning to find it gone, though he cannot lay his hand on any one great extravagance, all having disappeared in a multitude of petty excesses. At the outset I am met by this difficulty, that I must either suggest some alternative scheme, and thus run the risk of exposing myself to the cheap ridicule of posing as an embryo Chancellor of the Exchequer, or else I must offer such criticism as I have to make without indicating any course which might, with advantage, have been pursued. As the latter step would deprive my criticism of half its force I prefer to risk the cheap ridicule. In the first place, I will touch on that portion of the Budget scheme which deals with local finance and the imposition of 6d. per gallon on spirits. I will not, however, discuss the wisdom or policy of Imperial Grants in aid of local finance, since that is a large question on which financial experts hold varying opinions. Personally, I view those grants in aid, if not with actual hostility, at all events with jealous suspicion. My attitude, indeed, may be described as one of malevolent neutrality; but I would like to ask my right hon. Friend why, even supposing that a grant is desirable, so large a grant should be given, why it should come out of the pockets of one particular class—the publicans—and why it is desirable to raise at the present time the whole thorny licensing question? I think the right hon. Gentleman will find it difficult to justify the imposition of a new tax at the present time. He has the largest surplus any Chancellor of the Exchequer has had for many years, and he has consequently plenty of material

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for what he proposes to do without making another inroad upon the pocket of the already menaced and harassed publicans. I am well aware that many hon. Gentlemen opposite regard the word "publican" as synonymous with "sinner," and consider that his pocket is to be bled as much as possible; but the methods of Dr. Sangrado are no longer approved by the medical faculty, and I would rather have been a Jew in the days of King John than I would be a publican at the present time. The calculations as to the Budget surplus are largely based upon a belief in the continuance of the recent abnormal increase in drinking. The right hon. Gentleman the Chancellor of the Exchequer has better means than I can have of forming an opinion on that point; but I would suggest that even the Treasury officials are not always infallible. The tendency of Budgets in recent years has been to show that the revenue from drinking has been, if not waning, at least stationary. The population has grown, but the revenue from the Excise has not increased with it, and I would like to ask whether the Chancellor of the Exchequer is fully convinced that there is no risk of the country returning to its previous more sober habits? What will become of the right hon. Gentleman's surplus if the rush to the wine bottle and the spirit decanter and the beer barrel, of which he has spoken almost with triumph, should cease? All that, however, I only wish to sound as a note of warning; and I pass to the consideration of the uncalled-for tax of 6d. on spirits. The distillers and brewers can protect themselves, but the retail dealer has no protection. It is true that if unscrupulous he can water or deteriorate his spirits, but if he be honest the tax must come out of the publican's own pocket. I am told that there are 64 glasses in a gallon of spirits; and although I have no special knowledge on the subject, I would ask my right hon. Friend the Chancellor of the Exchequer whether he is equal to the financial feat of dividing 6d. by 64? Rum, which is the sheet anchor of the right hon. Gentleman's finance, is sold at most of the public houses at 2½d. a glass, and as in the case of other spirits I am informed that there are of these 64 glasses in a gallon, which would make the

receipt of one gallon 13s. 4d., while the cost of the rum being 3s., and the duty 7s. 6d., the profit left on the serving of 64 customers is just 2s. 10d., from which small sum the right hon. Gentleman proposes to take 6d. I put it to my right hon. Friend, does he think that this is fair? I do not see any method in which the landlord can distribute the burden among his customers unless he resorts to the base and unscrupulous method of adulteration. I am told that the trade would greatly have preferred to have had even 2s. put on spirits to this arrangement.

\***Mr. GOSCHEN**: I will do that if they wish it.

**Mr. KING**: I cannot promise my right hon. Friend that they will petition in favour of that suggestion; but I have been told they would have preferred it. No doubt my right hon. Friend comforts himself by the thought that, after all, he is benefiting the trade, and that in him they are entertaining an angel unawares; but, on the other hand, that does not appear to me to be a reason why spirits should be made to compensate beer, for, whereas 95 per cent. of the public houses are owned by the brewers, and one-half of the goods sold is beer, the result will be that, under the right hon. Gentleman's proposal, three-fourths of the compensation will come out of spirits; so that the bulk of the compensation will go into the pockets of the rich brewers, and the poor dispossessed publican will go out of his holding without a shilling in his pocket, unless care be taken by the right hon. Gentleman the President of the Local Government Board that he shall receive some compensation for disturbance. On this subject I would refer my right hon. Friend to a vigorous article which appeared in the *Economist* of last Saturday. I have no doubt the right hon. Gentleman will think I am very ungrateful, and that he bases his chief claim to our affectionate regard on the reduction he proposes in the Tea Duty. I would remind the right hon. Gentleman that "Blessed is he that expects nothing." He has reduced the Tea Duty by 2d. per lb., but I am afraid that although the right hon. Gentleman expressed great concern for the poor consumer, and virtuously repudiated the middleman, the same

original sin lurks in this proposal as in the case of the Spirit Duty. The purchaser of half or a quarter of a pound of tea may derive some good from the reduction; but it is a fleeting and microscopic reduction, inasmuch as the purchaser of a whole chest would only receive 3s. 4d., whereas those in whose interest the reduction is supposed to be made—the poorer classes—who buy their tea by the ounce or half ounce, cannot receive anything unless my right hon. Friend can show some way in which 2d. can be divided by 16. I must here say that I view the proposed remission of the Tea Duty with great concern, because, in the first place, I think that no Chancellor of the Exchequer will ever have the courage to re-impose that duty; and when revenue is sought for in vain from that source the Income Tax collector will once more be called in to make up the amount that may be needed. In the second place, I regard the remission with concern because of the effect it is likely to have on tea planting in India. On this subject I can speak with some knowledge, owing to my connection with that country, and I say that the remission will do no good to the tea planters of India, who are prosecuting an industry in which millions of British capital are invested. It will be no compensation to them if that industry is jeopardised to be told that India will profit by the removal of the duty on silver plate, which I admit is called for by public opinion in India; but I warn my right hon. Friend that it is more than probable that the remission of the Tea Duty will seriously cripple one of the greatest industries of India by enabling the cheap and worthless teas of China to compete with Indian tea in this market in a manner it has hitherto been unable to do. I now come to the proposed reduction of the Inhabited House Duty, of which I most heartily approve. It is said that my right hon. Friend has introduced the principle of graduated taxation, and, for my part, I am not in the least afraid of that principle. On the contrary, I should like to see it extended on behalf of the class who wear the "rusty black coat;" and that brings me to a suggestion which I make with great deference to the authority of my right hon. Friend. It is based on a regard for those whose interests he has specially at

heart. I mean those earning incomes of from £150 to £400 a year. What, I ask, do they gain under the scheme of the Chancellor of the Exchequer? Let us assume that a man with an income of £400 a year is a married man with a family, and consumes a chest of tea in the course of a year; that he also consumes  $1\frac{1}{2}$  cwts. of currants, which probably would be in excess of his requirements. Let us also assume that his rent is £50 a year, and that he takes one glass of whisky a night, with an extra allowance of 19 glasses for festive occasions. The result would be that he would find he had saved 13s. 4d. on his tea and 7s. 6d. on his currants, £1 0s. 10d. on his House Duty, making a total of £2 1s. 8d. If from that we deduct 3s. for the whisky he has consumed to the extent of six gallons his total gain would have been £1 18s. 8d. My right hon. Friend started with a surplus of £3,500,000. He has proposed to allocate £300,000 of this for barracks, £100,000 for the Volunteers, £210,000 on currants, £80,000 on postage, and £300,000 on the police, making together a total of £990,000, leaving him with a balance of £2,510,000. Even after the most careful consideration of the right hon. Gentleman's apologetic utterances at the Mansion House as indicative of an unquiet conscience which induced him to think that some relief should be given to the Income Tax payer, especially to the class whose incomes are between £150 and £400, it will be seen that people of that class pay something like £4,700,000 a year, or more than one-third of the whole £12,200,000. [The CHANCELLOR of the EXCHEQUER dissented.] I am afraid I have misunderstood the right hon. Gentleman, and my argument is, therefore, somewhat thrown out. My proposal would be that he should reduce the tax on such incomes by 2d. or 3d., which would still have made possible the reduction on the Inhabited House Duty and left over the sum of £320,000 to be applied either in repealing the Plate Duty or in subsidising the County Councils. I have to apologise to the House for the length at which I have spoken; but I have felt so deeply the immense claims of the classes for whom I have pleaded for consideration, and against the injustice that is being done to one of them by my right hon. Friend's

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proposals, that I have ventured to trespass somewhat longer than I ought to have done on the indulgence of the House.

(5.28.) SIR WILLIAM HARCOURT (Derby): I think that the hon. Member has accurately described the Budget as one which aims at too much and does too little. The Chancellor of the Exchequer frequently took credit for the large sums which had been liquidated during his period; but, like one of the characters in *Molière*, the right hon. Gentleman paid off debt *malgré lui*. He has deliberately reduced the annual fund for the payment of debt by £3,000,000, and if there have been surpluses they are surpluses which he has not expected or provided for, but which have depended upon windfalls, upon the profits from silver, or the large increase in the consumption of rum and other intoxicants, and were no part of the provision for the payment of debt. But that is not all. The Chancellor of the Exchequer has left out of sight, and kept out of the sight of the country, the fact that he has been making debt at the same time. The Chancellor of the Exchequer has practically created a debt of £5,000,000, which remains to be liquidated in the future, and instead of having made immense reductions of the National Debt, the fact is that he has destroyed the permanence and regularity of the liquidation of the Debt—a very different state of things to that which he has presented before us. With reference to the relief of taxation, I protest against the notion of treating the increase of the Spirit Duty as anything else than Imperial taxation, for there never was a more audacious fallacy than to say that the tax upon spirits is a tax levied upon the publican, and is to be disposed of for the benefit of the publican. A more unfounded suggestion was never made. We might just as well say that the Tea Duty is a tax levied upon the grocer, and that the produce should be disposed of for the benefit of the grocer, and similarly with the Tobacco Duty and the tobaccoist. The suggestion is fundamentally false in finance. The duty upon spirits is a duty under which the publican has no more right to expect special advantage than under any other tax; it is absolutely indistinguishable from any

other tax. In some form or other it will be ultimately paid by the consumer, and therefore it should be regarded, like any other tax, as a consumer's tax. If the tax is agreed to by this House it must be regarded like every other tax, as belonging to the general public; it must be devoted to the general convenience of the country, and not to any particular class of the community or of property. My hon. Friend behind me, speaking of the reduction of the Tea Duty, said this proposal of the Budget was a half-hearted measure. That, I think, was a rather too complimentary term to apply to it, for it is, in my opinion, a third-hearted measure, and a very inferior one at that. I confess that I am glad that the Chancellor of the Exchequer has dealt with the Tea Duty, but I wish the right hon. Gentleman had taken off half the duty instead of one-third. I refuse to distinguish between the Spirit Duty, which he has appropriated to local purposes, and duties which are levied for other purposes under this Bill. They are all Imperial Duties, and must be regarded as such. Therefore, I hold that the right hon. Gentleman had, in point of fact, a sum of £4,000,000 to deal with, and I say that he would have produced a much much more simple Budget, as well as one of sounder finance, and one giving much greater relief, if he had taken off half of the Tea Duty and the whole of the Inhabited House Duty. I know that these are not the views of the Chancellor of the Exchequer; he likes to keep the skeleton of a tax even when he is obliged to take the flesh off. I prefer the corpse of the tax, and to see it well buried, as we have buried many a tax in former days. In the time of Sir Robert Peel and of my right hon. Friend the Member for Mid Lothian there have been taxes on hundreds of commodities taken off, and I confess that I prefer the financial doctrines and financial practice of Sir Robert Peel and of my right hon. Friend—those great masters of former Budgets—to the doctrines laid down by the Chancellor of the Exchequer to-day. I have a few figures which I should like to lay before the House dealing with the subject of the Inhabited House Duty. I quite approve of the proposal to deal with that duty; and I agree with the hon. Member who last spoke that it would

have been better if a clean sweep had been made of it, because it falls unequally and with undue severity on the lower part of the scale, while its exemptions in favour of the higher classes are extremely unjust. The man who just comes within the ranks of those who wear black coats pays a much larger proportion than the more wealthy man, and the reason is this, that he pays a larger share of his annual income for rent. I am happy to think that in later times men have been more willing to do this for the benefit of their families than they were in former days. A man with an income of £600 a year will pay as much as £100 a year for his house. If you take a sixpence off his Income Tax you relieve him to the extent of six hundred pence; but if you altogether abolish the House Duty you relieve him of a charge of nine hundred pence: and he belongs to the class who most want relief. But take the case of a man with an income of £10,000 a year, or from £10,000 to £20,000. I venture to say that the houses occupied by such men are seldom assessed at more than £500 a year, and I know many men of great fortune whose houses are assessed at from £300 to £500, and who therefore contribute infinitely less to the Inhabited House Duty than they do to the Income Tax.

ADMIRAL FIELD (Sussex, Eastbourne): But suppose such a man has two or three houses?

SIR W. HARCOURT: The gallant Admiral may have three; indeed, I do not know how many flags he flies. I am taking the case of men of more moderate means, of men who have only one house. The figures on this subject are interesting. The Inhabited House Duty yields £2,000,000, and of that sum £1,250,000 a year is paid by houses of £100 a year and under. Now, if the Chancellor of the Exchequer had done nothing else, he might have struck off that portion of the tax at least. When we get to higher rates the yield is much smaller. Houses and shops of £100 to £150 a year yield only £200,000; houses of £300 to £500 yield £95,000; those from £500 to £1,000 a year yield £58,000; and when we reach houses of £1,000 a year and upwards the duty yields only £60,000 a year. It is quite clear that this is a tax of which the whole weight falls practically

upon men of moderate means, and by sweeping it away, therefore, the Chancellor of the Exchequer would have removed a burden which it is plain does not press equally on rich and poor. I shall not oppose the Second Reading of this Bill; but I confess that these seem to me to be very fair criticisms of general principles. I do not complain of the right hon. Gentleman for having dealt with the Tea Duty and the Inhabited House Tax; on the contrary, I approve of his having done so; all I wish is that he had reduced the Tea Duty by one-half, and taken away the whole of the Inhabited House Duty, as he might have done with the funds at his disposal. An hon. Gentleman opposite has compared the publican to the Jew of the Middle Ages, and said that he was in a still worse position. I never heard, however, that the Government of King John introduced a Bill to give compensation to the Jew for the extraction of his teeth. Therefore, I think the hon. Gentleman was a little hasty in taking a view of the publican that used not to be taken of the Jew, and he is a little ungrateful to the Government for what they are doing. Now, Sir, I come to the question of the hypothecation of particular duties to local purposes. If you are going to carry out the principle of hypothecating the duties for local purposes it is obvious that you will place upon yourselves great restraint and difficulty with regard to the increase or the reduction of those duties. If the localities are entitled to a certain proportion of the duties they may say it will be very unfair to them if the duties are reduced. On the other hand, it may be extremely unfair to the State if a large portion of the taxes are carried off for local purposes. By their proposed appropriation of the Spirit Duties the Government are placing themselves in a position of want of freedom and of restraint in dealing with the great pillars of Imperial finance. I do consider that this is a most important principle, and one which we ought to consider most carefully before we allow ourselves to be committed to it. My hon. Friend remarked that the Chancellor of the Exchequer was frequently taking credit to himself for giving relief to indirect taxation as compared with his dealings with direct taxation. I am bound to say that when he went to the

*Sir W. Harcourt*

City of London the right hon. Gentleman principally enlarged upon the remissions he had made in direct taxation, and gloried in what he had done for the Income Tax. To other audiences, however, the right hon. Gentleman played on the other string of his fiddle, and enlarged upon what he had done in the way of remissions of indirect taxation. For my own part, I do not object to the right hon. Gentleman's running the horse which he thinks is most likely to win. But the comparison made by my hon. Friend behind me is, in my opinion, a fair one; and, if so, it cannot be denied that even taking the Budget of this year, which is supposed to redress the balance, that balance stands in favour of the remission of direct taxation. At all events, the relief, taking all things into consideration, that the right hon. Gentleman has given to direct taxation is more than double the relief which has been given to indirect taxation. I confess that I am not myself a convert to the new doctrine of appropriating the taxes in respect of the people who pay them. I have said already that I do not regard the Spirit Duty as being the special property of the publicans; and when the Chancellor of the Exchequer says that because his increase of income is due to the greater consumption of spirits, therefore relief should be given to those who contribute to this source of income, I reply that that is a new financial doctrine, and one which may lead to great difficulties hereafter. My opinion is that the Chancellor of the Exchequer should regard his surplus as an Imperial fund, and that he should distribute it for the benefit of the community to the best of his judgment. The new standard which he sets up is perfectly unsound. It is a novel doctrine of finance. I claim to be a Conservative on financial doctrines, and I say it is a new doctrine to deal with the origin of surpluses on speculations of this kind. I have ventured to make these remarks upon the general framework of the Budget. I am extremely glad that the Chancellor of the Exchequer has had so large a surplus, and that it has been mainly derived from the increased prosperity of the country; for, after all, although it comes directly from the increased consumption of intoxicating liquors, that increased consumption arises from in-

increased wages, which, of course, results from increased employment. I hope the right hon. Gentleman will not think I have behaved at all unfairly in the spirit in which I have addressed myself to the consideration of his Budget. There are some things in it which I should have desired to see otherwise, and in the disposal of this large surplus I wish the right hon. Gentleman had dealt with it upon one large topic, rather than upon several smaller heads. That is no reason, however, why we should oppose the Second Reading of the Bill, although some of the clauses will require careful consideration when we come to consider, in Committee, the duties upon particular articles.

**\*(5.55.) MR. BARTLEY** (Islington, N.): I take a view somewhat different from that adopted by my hon. Friend the Member for Central Hull. It seems to me that this Budget affords immense relief to the smaller paying part of the community, which I have always held pays too large a proportion of the Imperial taxation. I regard the Budget, therefore, as a step in the right direction. My hon. Friend has described it as a Budget of petty items. That may be quite true from the view of opulent Members opposite who have derived great fortunes from breweries, and to whom these reductions are unimportant; but to the great mass of the people the reductions are of the utmost importance, for they will greatly benefit the hard-working classes. The right hon. Gentleman the Member for Derby spoke of a man with £500 or £600 a year as just coming within the ranks of those who wear a black coat. That shows that he knows very little of the habits of the less well-to-do classes of the community. Men who have £600 a year do not pay £100 a year as rent.

**SIR W. HARCOURT:** I was only arguing to show that a reduction of the Inhabited House Duty would give greater relief than a reduction of the Income tax.

**\*MR. BARTLEY:** And my point is, that by reducing the Tea Duty, the Currant Duty, and the Inhabited House Duty, the less well-to-do classes are mostly benefited. No man can eat more than a certain number of currants, and it is the poor who will reap the advantage of the reduced duty on

currants, which form an attractive article of food. The man with a small income spends a larger proportion of that income on currants than the man with a large income. Therefore, I say the Budget is a step in the direction of reducing the inequalities of the incidence of taxation. I do not agree with the right hon. Member when he said the reduction of the Tea Duty should have been 3d. instead of 2d., and for this reason, that 2d. is divisible by four, and we want to get the poorer classes to buy their tea by the quarter of a pound. They are not likely to buy it by the half pound, and 3d. is not divisible into four. I think the Chancellor of the Exchequer has shown his wisdom in this matter. It is true many of the poorer people buy tea in small quantities, but we want to induce them to buy it in larger quantities, in which case they will get much better tea. Reference has been made to the Income Tax. All of us would be glad to see the tax reduced, and I hope when the Chancellor of the Exchequer considers the matter, as he may do in another year, he will consider whether there should not be a different rate of Income Tax for accumulated savings as compared with the savings of the current labour of the day. Personally, I think the Budget will give general satisfaction to most of the poorer classes. It is said it is an electioneering Budget. I do not know whether it is or not, but I am sure of this, that if our Friends opposite were in office they would certainly introduce electioneering Budgets. I notice that hon. Members opposite always criticise what is done by their opponents, but when in office never take the steps they have advocated. This Budget tends to equalise taxation, and I hail it, therefore, with great satisfaction. I trust that another year the Chancellor of the Exchequer will be able to go further in this direction.

**\*(6.3.) MR. BRADLAUGH** (Northampton): Before dealing with the second part of the Bill, to which I wish particularly to address myself, I should like to refer to the surplus which the Chancellor of the Exchequer finds at his disposal. As I understand him, he attributes the great increase in the consumption of spirits to increased prosperity. As far as the consumption of rum is concerned, the information which reaches me is that the

increased consumption is to be attributed chiefly if not entirely to the influenza epidemic. Of course the Chancellor of the Exchequer has better means than I have of knowing in what part of the year the chief rise was, but it is curious that while in 1848 duty was paid on 2,430,583 gallons of brandy, in 1849—the cholera year—duty was paid on 4,479,549 gallons of brandy. It may not be uninteresting to the Chancellor of the Exchequer to consider whether the recent influenza epidemic had any relation to his surplus. It is not, however, in the sense of criticism that I have risen. The hon. Member for Hull (Mr. King) sneered somewhat at the remission of the Plate Duty, and at the reduction of the Tea Duty. I quite agree with the wish expressed by the right hon. Gentleman the Member for Derby, that the reduction of the Tea Duty had been larger, but I fail to comprehend the argument of the hon. Member for Hull, that the reduction of the Tea Duty can be a mischief to the Indian tea trade. I suppose there is some reason in his mind which he did not communicate to the House, but unless there is some reserve on the part of the Chancellor of the Exchequer, of which I am ignorant, I understand that the reduction affects equally the tea coming from India and the tea coming from China. I do not quite understand, therefore, how it can be to the injury of the tea merchants or tea cultivators and those they employ, that the duty should be reduced. It is, however, specially with regard to the remission of the Plate Duty, that I rise to say a word, and, apart from the communication made to me, it would have been impossible for me to remain silent when the hon. Member for Hull stated that the public opinion expressed in India for the remission of this Plate Duty had been chiefly bi-metallic opinion. I was present at one meeting, attended by delegates from all parts of India, which did not express the slightest opinion in favour of bi-metallism, which did not discuss it, which I don't think cared much about it, but which certainly made a very strong appeal to the English Government to remove the duty on silver plate, and I put a Motion upon the Paper not merely at the request of those very persons, but also on behalf of a large English Association which is in no sense whatever connected with

*Mr. Bradlaugh*

bi-metallism, but which has for years been agitating for the repeal of the Silver Plate Duty. I do not know that I ought to say anything upon the subject of hall-marking. The Chancellor of the Exchequer will, I suppose, say that another Bill will be introduced to deal specially with the matter of hall-marking. Unless that is so, my thanks to him for repealing the Plate Duty will have to be expressed with some caution. The whole of the silver plate made in India is made of rupee silver, which is of a less standard than the ordinary English silver. I understand from the Chancellor of the Exchequer that that is a point he has considered, and that he intends to make a legislative proposition to the House enabling the Indian silver to be hall-marked with a standard of its own. If so, that standard would have to be the standard of rupee silver, less the necessary reduction in the standard which arises from reducing it in the working-up into the very fine native work which we too seldom see in England. I do not know whether I have any right to infuse my own feeling into the matter, brought home as it was when the Chancellor of the Exchequer laid violent hands on some silver with which I had been temporarily entrusted. There is another point in connection with the hall-marking, which, unless the Chancellor of the Exchequer considers, he will not earn the gratitude of the Indian native population to the extent he otherwise might. The Indian silver work is very fine work, and very easily damaged unless the hall-marking is very carefully applied. I am sure the trade represented by the hon. and gallant Member opposite (Mr. Howard Vincent) will not do anything to injure their Indian competitors. Still, I should like it to be impossible that anything of the kind can happen. Considering the very great and influential pressure which has been put on the Chancellor of the Exchequer, I wonder the right hon. Gentleman really did repeal the duty. His action only shows that some of the old views of the Chancellor of the Exchequer still exist in his mind and make him do justice in a matter of this kind. The Budget has been attacked as a twopenny halfpenny Budget. I do not know whether that is a proper conclusion, but I am bound to say that a

few twopenny halfpennies are sometimes of serious importance to those who get the benefit of remissions. The remission of the Plate Duty, even if it be a twopenny halfpenny duty, the hon. Member for Hull urges, is a remission which enables a possible development of an artisan trade which is not practised in this country, and which is of such a character that it cannot in any way compete with the trade of this country. While one is not astonished to hear from those Benches some of the old Protectionist doctrines occasionally trotted out, as they are likely to be presently by the hon. and gallant Gentleman the Member for Sheffield, I avow I was rather shocked to hear the hon. Member for Hull urge that injury will be done to the Indian tea trade by the reduction of the Tea Duty by 2d.

\*(6.12.) SIR E. BIRKBECK (Norfolk, E.): While expressing general approval of the Budget, I must express some surprise at the treatment both the barley growers and the brewers have received at the hands of my right hon. Friend. He did them justice at first, by withdrawing the extra 3d. a barrel, which, last year, he placed on beer, but 20 minutes afterwards he re-imposed it. Last year I placed on the Paper an Amendment to the Customs and Inland Revenue Bill, limiting the duty to one year, and I only withdrew it on the understanding that my right hon. Friend would take the 3d. a barrel off this year if there was a surplus and if there was a general remission of taxation. Last year the right hon. Gentleman said the duty was to make up a deficiency of £300,000, and this year he asks for £386,000. To my mind the effect of this increased Beer Duty will certainly be in the direction of brewers watering their beer, less barley being used. What the tenant farmers, certainly in the corn growing counties, wished for originally was a total repeal of the malt tax. They never bargained for, and never asked for, a transfer of the tax from malt to beer. The repeal of the Malt Tax was considered a very important question in the prosperous days of agriculture, but surely it is still more important in these days of agricultural depression. In 1880, when the question of an increased Beer Tax was brought forward by the Government of the right

hon. Gentleman the Member for Mid Lothian, the present President of the Board of Trade (Sir M. Hicks Beach), in speaking from the opposite Bench, said—

“In my opinion the price of barley will continue to fall and this will be the last nail in the coffin of the representatives of the most depressed industry in the country, namely, the corn growing industry.”

And on that occasion no less than 25 Members of the present Government voted against the proposal. I must confess I am astonished that the present Government should not have thought of the barley growers in this matter, and have relieved them of this tax. I renew my protest, and express the hope that the Chancellor of the Exchequer will consider this matter whenever he has another surplus.

\*(6.15.) DR. CAMERON (Glasgow, College): I rise to protest against the Bill on a question of principle. Whether I should move the rejection of the Bill is a matter which has somewhat puzzled me. I had thought of moving—

“That this House regards as unjust a proposal to impose fresh unequal taxation on alcohol in the form in which it is chiefly consumed in England, Ireland, and Scotland respectively, with the object of raising a fund to be equally divided amongst the three kingdoms.”

That embodies my objection to the Bill. The right hon. Gentleman has refused to give us any information as to the taxation which is at present levied per gallon of proof spirit of alcohol in the form of beer and in the form of spirits. In Scotland the duty on alcohol is levied at the rate of 10s. per gallon proof spirit, while in England the duty on the proof spirit in beer only amounts to 1s. 6d. or 1s. 8d. per gallon. I do not ask the right hon. Gentleman to remedy what has passed, but here the Chancellor of the Exchequer is taking an entirely new departure on very questionable lines when he gives aids to Local Taxation, not directly from the Exchequer, but in the form of a share in a general tax. Last year the right hon. Gentleman told us that he was obliged to divide the Probate Duty to suit the exigencies of the case. I do not approve of any system which involves unfairness, but having started the system with regard to the Probate Duty



he now proposes to amend it in regard to this duty on alcohol. As a matter of fact, there is a larger annual consumption of alcohol in England per head of the population than in Scotland or Ireland. In England the annual consumption per head of the population is  $6\frac{3}{4}$  gallons of proof spirit; in Scotland it is  $4\frac{1}{2}$ , and in Ireland only 3, and yet in England the amount of duty paid per head on this alcohol is 11s. 8d., in Ireland 13s. 10d., and in Scotland 18s. 10d. The right hon. Gentleman now proposes to increase the duty on whisky by 6d. per gallon of proof spirit, and on beer by 3d. per barrel of 36 gallons. There cannot be less on an average in beer than 10 per cent. of proof spirit, and that will give you 1d. per gallon of proof spirit on the beer as against the 6d. on the whisky. The right hon. Gentleman proposed to bring the proceeds altogether and divide the aggregate equally amongst the three countries. Was there ever a more monstrous suggestion? I have no sympathy with the publican, and do not mind how much you increase the duty as long as you do not produce smuggling, but I say this is a grossly unfair proposal, and if I do not divide against it, it is only because it is mixed up with other proposals. I think that, under the circumstances, perhaps, the best course to pursue would be to single out this tax and to move an instruction on going into Committee stating that the new duty on alcoholic drink should be equalised on per gallon of proof spirit, whether the proof spirit be in the shape of spirits or beer. I hope hon. Gentlemen who take an interest in the question will come down to the House early to-morrow so as to make as good a fight on the subject as it is in our power to make.

(6.25.) MR. J. M. MACLEAN (Oldham): I do not think there is much in the chief objection to the Budget. That objection is that the Chancellor of the Exchequer has tried to remove too many grievances and to conciliate too many interests. It is much better sometimes for a Chancellor of the Exchequer to do a little for a great many interests than to use his surplus in relieving one particular interest. This discussion has wandered over a very wide range of subjects. I should like to say a word about the removal of the duty on silver plate,

*Dr. Cameron*

referred to by the hon. Member for Northampton (Mr. Bradlaugh). I am entirely in sympathy with the hon. Member in his remarks on the desirability of doing away with that duty. No doubt the imposition of the duty was looked upon in India as a real grievance. I am somewhat sceptical myself as to the results that will follow its repeal. The principal silver manufactures of India are very delicate works of art, and not useful objects likely to meet any large or general consumption. The great proportion of them are caskets for enclosing addresses for presentation to hon. Members who go out there to court the favour of the natives, and then there are card cases and so forth. It is extremely improbable that work of this kind will ever be largely consumed in this country, so that I do not think the clients of my hon. Friend the Member for Sheffield (Mr. Howard Vincent) need be much alarmed about the repeal of the duty. Something was said about the reduction of the Tea Duty being likely to prejudice Indian planters, and to benefit rather the tea of China. It must be obvious to the hon. Member for Northampton (Mr. Bradlaugh), who said he could not understand the complaint, that the reduction of the duty will be much larger proportionately on the coarser teas of China than on the finer teas of India. On the other hand, of course, the cheaper teas are still placed at a disadvantage by a duty which is not levied *ad valorem*, but is a fixed sum for each pound of whatever quality, so that this argument cuts both ways. I wish to take an objection to the way in which the Chancellor of the Exchequer has dealt with the surplus he has obtained from the beer and spirit drinkers in this country. The principle laid down by the right hon. Gentleman was that those who produced the surplus were entitled to the remission of taxation.

\*MR. GOSCHEN: I am afraid I must have used some incautious words. I said it should not be given back to them, but that alcohol should pay for tea. I did not intend to lay down a principle.

\*MR. J. M. MACLEAN: I think I am correct in saying that the right hon. Gentleman said that what had been given to him by indirect taxation should go to the relief of indirect taxation. Well, I object to a

particular application of this doctrine. He owes a great deal of his surplus to the increased consumption of alcoholic liquors, and he says he will make the tippler pay for the tea-drinker. I look on that as a very immoral doctrine for the Chancellor of the Exchequer to use in effecting a transfer of taxation. What right has the right hon. Gentleman, in his position as Chancellor of the Exchequer, to brand a large body of his fellow countrymen as tipplers? He had previously told us that all classes of society had consumed large quantities of strong drink, and so he had a surplus to offer us. But, why then did he go on to outrage the sensibilities of these consumers by denouncing them as tipplers? I know he may be said to have used the phrase humourously, and that he did not mean seriously to denounce everybody who takes a glass of beer or wine as a "tippler," but is there not at the same time some practical unfairness, some injury to these men, that you take their money and use it for the benefit of the tea drinkers? What satisfaction has the right hon. Gentleman obtained by this? The hon. Member for Leicester (Mr. Picton) is not pleased. The hon. Member has one ruling idea of his Parliamentary life, and that is to compel other people to pay his taxes for him. He is not satisfied at all with the concession of the Chancellor of the Exchequer. He never will be satisfied until the whole of the Tea Duty is abolished. Now, speaking seriously, I think it is a matter for the House to consider whether it is a just doctrine that the Chancellor of the Exchequer should annually raise money whenever he needs it by increasing the duty on beer and spirits. It seems to me that beer is quite as wholesome an article for anybody to drink as tea, and no doubt it always will be drunk. The present Chancellor of the Exchequer poses, as Chancellors of the Exchequer are apt to pose, as the champion of morality, while all the time they are jingling the money of the publican in their pocket. If the Chancellor of the Exchequer thinks that a heavy tax ought to be imposed on beer and spirits to check alcoholic consumption, then he is bound to show that the increased consumption during the last year has had a distinctly demoralising

effect. Is he able to do that? Can he show us there has been any increase in pauperism or in crime commensurate with the great increase in the consumption of alcoholic liquors during the last 12 months? If he cannot do this then what moral ground is there for the doctrine he adopts, and the distinction he makes between beer drinkers and tea drinkers? I certainly agree with the right hon. Gentleman the Member for Derby (Sir W. Harcourt) that the hon. Member for Hull made a mistake in speaking against this new duty on beer and spirits as an impost upon publicans. No doubt, ultimately, the money will be paid by the consumer in one form or other—either he will have to pay a higher price or he will get an inferior article. It is a change which affects not the publican class alone—it affects the great body of the people of England, and the working classes particularly. We have seen the result of an increased duty on one class of alcoholic liquor imposed by the Chancellor of the Exchequer. Everybody knows that since the new duty was put upon champagne we have had to pay a price much higher than the proportionate increase in the duty, and this is the inevitable tendency of taxation of this kind. Therefore, we ought to remember, when we think how cheap and easy a thing it is to increase the duty on beer and spirits, that we are actually levying a considerable tax in the country. I have heard it said that this is an electioneering Budget. Well, if the Chancellor of the Exchequer framed it with that intention, I think he has made a great mistake. A Budget of this kind will not increase the number of friends of the Conservative Government in the country, and I am strongly convinced myself that the line the right hon. Gentleman has taken of levying increased duty on beer and spirits will alienate a great many of the best friends of the Government. It certainly will not propitiate our fanatical friends opposite, who are invariably Radicals first and teetotallers afterwards.

\*(6.35.) MR. SHAW LEFEVRE (Bradford, Central): I do not propose to enter into the general question, but I desire to say a few words upon a point with which the Chancellor of the Exchequer dealt in one of the most eloquent

passages in his Budget speech. I mean the growing expenditure of the Army and Navy. The right hon. Gentleman said that no apology was needed for this expenditure, considering the purposes to which it was applied, and most hon. Members, from this passage in the speech, would have thought that the right hon. Gentleman was intending to meet this expenditure by taxation within the year. But I will show that a very great proportion of the extra expenditure on these Services is paid out of borrowed money. Roughly speaking, it may be said that during the last three years the Chancellor of the Exchequer has increased the Army and Navy expenditure by the sum of £2,000,000 a year; and further, during the same period he has entered into obligations for extraordinary expenditure to the amount of £18,000,000, the whole of which will be raised by borrowing or by postponing payment to future years. I have found it extremely difficult to ascertain exactly the amount of the expenditure upon the Army and Navy which is to be met within the current year. There are no means of obtaining this information from the accounts put before the House, without an immense amount of trouble, and I very much doubt if the Chancellor of the Exchequer, or the Secretary to the Treasury, could say exactly the amount to be expended in the current year on the two Services. But by dint of questions to the heads of the two Departments, upon different items, and at different times, I am in a position now to say what the expenditure in the present financial year will be, and I think the House will be surprised to hear the total to be expended on these two Services. The amount is £38,163,000, or £7,000,000 more than was ever spent before in any year in time of peace. Of this amount, £31,497,000 appear on the Estimates, and may be called the ordinary or normal expenditure on the Services, and the remainder is for the following purposes:—£5,236,000 for new ships and their armaments, under the Naval Defence Act of last year; £180,000 is devoted to the building of ships for the Australian Squadron; £400,000 for fortifications under the Imperial Defence Act; £450,000 for the armament of these fortifications; £300,000 for new barracks, out of the

*Mr. Shaw Lefevre*

Budget and surplus; and £100,000 for the equipment of Volunteers from the same source. Thus we have £6,666,000 for extraordinary expenditure upon the two Services, and the House will be surprised to hear the various shifts and devices by which this money is provided. £1,400,000 falls upon the Consolidated Fund for the year, under the Naval Defence Act of last year; then there is an item of £128,000, which, under a new and dangerous process, is paid out of unexpended balances of last year on Army account; then comes £64,000 under the Imperial Defence Act, charged by way of annuities in the Estimates in regard to the Australian Squadron; then £400,000 is provided out of the surplus, and deducting these amounts from the £5,666,000 there remains a sum of £4,774,000 unprovided for in the Budget of the year, and which is borrowed or the payment of which is postponed over future years. The payment of £3,800,000 is spread over seven years, the payment not beginning until 1892, £116,000 is spread over 12 years, and £712,000 will be paid out of the dividends from the Suez Canal shares after 1894. These are the various operations, methods, shifts, and devices by which provision for expenditure within the year is avoided. Roughly speaking, it may be said that of the extraordinary expenditure upon the Services of, say, £6,500,000, we pay £2,000,000 within the current year, and spread £4,700,000 over future years. I need hardly remind the House that, under the Sinking Fund established by the late Lord Idlesleigh and my right hon. Friend the Member for South Edinburgh, the amount which ought to be paid for repayment of debt within the year would be £5,000,000, and I presume we shall repay debt by that amount; but then, on the other hand, we borrow to the extent of £4,674,000, so that practically the operation of what the Chancellor of the Exchequer is doing this year in respect to extra expenditure is really to suspend the Sinking Fund for the year for the amount which ought to go in reduction of debt, and which I suppose will, in a certain sense, be paid, will, on the other hand, be withdrawn by borrowing or suspending payment. That does not seem to me to be wise finance, and seems to me to present a

dangerous precedent for the future. I need hardly point out that the only real check within the Government itself is the Chancellor of the Exchequer and the Treasury. The two great spending Departments are always desirous of increasing expenditure, and this tendency is kept in check by the wish of the Chancellor of the Exchequer to avoid increase of taxation, and to obtain credit for the reduction of taxation, but if it is laid down as a precedent for the future that by spreading payments of money expended over future years the Chancellor of the Exchequer can obtain credit for his finance, while still borrowing or incurring debt, then it seems to me a dangerous liberty is given to Admiralty and War Office Expenditure. For this I must hold the present Chancellor of the Exchequer largely responsible. It was my fortune to serve under the Chancellor of the Exchequer when he was at the Admiralty in the years 1871-73, and I should like to call attention to a comparison between the expenditure of the two great spending Departments, the Admiralty and War Office, then, and the expenditure of the present year. In 1871 the Army and Navy expenditure was £22,735,000, of which the Navy absorbed £9,770,000. For the present year the normal expenditure is £31,500,000, and, including extraordinary expenditure, £38,360,000, so that the increase in normal expenditure has been 44 per cent. in the interval, or, including the extraordinary expenditure, the increase has been 70 per cent. Looking back at the year I have mentioned, the present Chancellor of the Exchequer, then First Lord of the Admiralty, was controlled by two great economists at the Treasury, Mr. Lowe, the present Lord Sherbrooke, and my right hon. Friend the Member for Mid Lothian. But for that control, I have no doubt, those responsible for the Navy, as well as those responsible for the Army, would have launched out into all kinds of expenditure, and the Chancellor of the Exchequer was then quite ready to be responsible for the Naval Service and the security of the country at an extremely modest expenditure as compared with the present. For my part, I see no justification for this enormous increase of naval and military expenditure. I believe it is not required, and that if the Treasury

had kept a firm hand of recent years over these Departments the expenditure would not have been found necessary. But if the Chancellor of the Exchequer joins the ranks of the professional alarmists, and if, at the same time, he can claim credit for reducing taxation by postponing payment, all checks will be got rid of, and there will be no limit to the demands that may be made in the future. For one part of the Budget I have nothing but praise; I refer to the reduction on Indian and Colonial postage. The high rate of postage has been in the past a perfect scandal, and it was quite time a portion of the surplus should be devoted to its reduction. I must congratulate the hon. Member for Canterbury (Mr. Henniker Heaton) on the success of his efforts in this direction, and I must say I was somewhat surprised at the tone of the Postmaster General's remarks at Bradford in reference to the hon. Member in which he spoke of the hon. Member as the "fly on the wheel," whose buzzing had become offensive. I should hardly have expected such language towards a supporter of the Government, and I think the right hon. Gentleman would have been wiser to have acknowledged the assistance of the hon. Member for Canterbury in his efforts to induce the Treasury to give way on this point. Many other Post Office reforms are urgently needed. For my part, I think that for the past four or five years the present Treasury has starved the post Office, and many important reforms have been postponed in order that the Chancellor of the Exchequer might realise the surplus Post Office Revenue. The Secretary to the Treasury seems to dissent to that, but he will not deny that there has been a growing surplus derived from this source in the past three years.

THE SECRETARY TO THE TREASURY (MR. JACKSON, Leeds, N.): Gross Revenue.

\*MR. SHAW LEFEVRE: In the net surplus in the last three years. Within four years it has increased £760,000, or at the rate of £190,000 a year. In 1860, after deducting the cost of the Packet Service, there was a surplus Revenue of £440,000; in 1870 of £1,173,000; in 1880 of £2,225,000; in 1890 of £3,500,000. Of course there have been

some ups and downs in the intervals, but, looking broadly over the period, that is the rate of progress, and at the present time there is a larger surplus than before. On the Post Office Vote I shall attempt to show the effect of the Treasury screw on necessary and urgent Post Office reforms, but I should hardly be justified in doing that now. For the moment I congratulate the Government on giving up £80,000 for Indian and Colonial postage, and I think they might well have devoted more of their surplus to Post Office reforms. I hope the hon. Member for Canterbury will not be discouraged by the somewhat contemptuous terms in which he was referred to by the Postmaster General from urging still further those reforms in the Post Office which are urgently required. There is no Department of the Public Service where expenditure is more valuable than in the Post Office; it gives immediate facilities to the public, and in the long run is almost certain to result in an increased revenue. All the money expended in this direction yields a good return, and the Post Office stands in quite a different category to all other Services. In reference to the Indian and Colonial postage, I should like to ask the Chancellor of the Exchequer whether he has any information to give us as to the disposition of the Indian and Colonial Governments—are they prepared to assist in the new arrangements; will they contribute towards bringing the reduction into effect very shortly?

(6.55.) SIR RICHARD PAGET (Somerset, Wells): I will not follow the right hon. Gentleman into his calculations and details; but I may say I cannot attach any material importance to the charges he makes against the Chancellor of the Exchequer, because we all know that the expenditure upon our defensive forces was, after full discussion, adopted by this House and universally approved by the country, which was not content to go on in an unhappy state of unpreparedness, subject to constant panics and fits of hurried expenditure, but has approved the policy that is placing our Army and Navy on a footing the magnitude of our interests requires. Passing from this, I wish to express my gratitude to the Chancellor of the Exchequer for the fulfilment of his promise in a certain direction I desire to indicate. I am

*Mr. Shaw Lefevre*

one of those who considered that there was still an account remaining unsettled between the Chancellor of the Exchequer and the Local Authorities when the Horse and Wheel Tax was withdrawn; but the Chancellor of the Exchequer, by his proposals in regard to the surtax on spirits and the Beer Duty, has, in a bold and novel manner, largely reinforced the local finance and done what he could to make up for the deficiency caused by the abandonment of the Van and Wheel Tax. There is one other point to which I wish to draw attention. For the first time in the history of finance a contribution in aid of local finance has been raised from indirect taxation. Hitherto all the sums that have been devoted to the purpose of aiding the burdens of the local taxpayers have been by way of subvention or contribution arising out of direct taxation. Now, for the first time, indirect taxation is applied to the purpose. That is a new departure, which gives us hope that further aid will be granted from Imperial sources to local rates. Exception has been taken to the allocation of the Beer Duty to local purposes. Now, there is no class which received more benefit from local taxation, while paying small contributions, than brewers. The abolition of the turnpikes was a great gain to the brewers, who, while the turnpikes existed, paid their fair share to the maintenance of the roads. With the disappearance of turnpikes their contributions ceased. Taking the Budget as a whole, it appears to me to deserve to be popular in the country. Taking it as a whole, it is a Budget that gives relief to those classes who are most entitled to ask it. I believe that the reduction of the House Duty will be widely appreciated, and that the more the provisions of the Budget generally are studied the more they will be approved by the country. I therefore give it my most hearty support.

\*(7.5.) MR. PROVAND (Glasgow, Blackfriars): I rise to enter my protest against the unfair way in which the Chancellor of the Exchequer has levied further duties on wine, beer, and spirits. Spirits already pay six times the duty on beer, reckoned by alcoholic strength, and spirits pay half as much again as wine, reckoned in the same way. No doubt, the Chancellor of the Exche-

quer will reply that the duty is levied on the various articles in a different way, and that in the case of beer it is levied not on alcoholic strength, but on specific gravity; but my contention is that there ought to be a uniform way of levying the duty on intoxicants, so that there may be a fair incidence of duty on the drink consumed in different parts of the country. Taking it per head of the population of England, Scotland, and Ireland, the duties on intoxicants are now paid by the peoples of the three countries in almost the following proportions per head:—England, 12s.; Ireland, 14s.; and Scotland, 19s. This is in consequence of the want of uniformity in the mode of assessing the duty on alcoholic drink. But the unfairness of the incidence of the duties is no greater than the unfairness with which the Chancellor of the Exchequer intends to allocate these duties for local purposes. He told us in his Budget speech that he intended to give them to the three countries in the same proportion as the Probate Duties are now given, which is 80 per cent. to England, 11 per cent. to Scotland, and 9 per cent. to Ireland. As the new duties are something like £700,000, this division will tax Ireland and Scotland for the benefit of England. The precise figures it is not easy to ascertain at present; but it is clear that Scotland and Ireland will not have returned to them for local purposes so much as they will be called upon to pay, by a sum exceeding £10,000 per annum, and such a state of things will be condemned generally by hon. Members from both of those countries. With respect to the duties on dried fruits, I think the Chancellor of the Exchequer might have swept away the whole of them. As it is, he only proposes to deal with currants. From the duties still to be imposed he will only receive £300,000 or £400,000, and, therefore, I think he might have abolished the lot. I hold it is self-evident that no Minister in these days would ever venture, no matter what the necessity might be to put a tax on food, and a sufficient portion of the magnificent surplus might have been applied, with benefit to the poorer classes of this country, in the complete abolition of the Dried Fruit Duties.

\*(7.12.) MR. JACKSON: Perhaps I may be allowed to endeavour to

answer some of the questions which have been raised in this discussion. I think that, so far as the criticism of the Budget has gone, we have no reason to complain of any of the speeches made. There seems to have been a general expression of opinion that, upon the whole, it is a satisfactory Budget, especially so far as the constituencies are concerned. The hon. Member for the Poplar Division, however, thought that my right hon. Friend has rather missed a great opportunity, and that he would have done better to make some great alteration than various small remissions. Yet, in the course of his speech, the hon. Member avowed himself in favour of those remissions which my right hon. Friend has made. Taking the general feeling of the House with regard to the four or five small remissions, it seems to be that they are wise in themselves and beneficial to the country. A complaint has been made that since my right hon. Friend has been at the Treasury he has given greater relief to direct than to indirect taxation. That is not so. When my right hon. Friend remitted 2d. from the Income Tax it was because he felt it his duty to take it off. It was put on for a special purpose, and that purpose having been served he felt himself bound to take it off. Excluding that 2d., in regard to which I maintain my right hon. Friend had no discretion, I submit that he has granted more relief to indirect than to direct taxation. The hon. Member for the Poplar Division appears to think that the amount of money being handed over to the Local Authorities is too large. There are probably not very many Members who will agree with him in that view. The hon. Member must himself recollect the Resolutions which in the past were carried against the Government, compelling them to give additional financial relief to the Local Authorities.

MR. SYDNEY BUXTON: The Local Authorities are being given more than was promised them in 1888.

\*MR. JACKSON: The hon. Member says it is more than was promised by the Chancellor of the Exchequer in 1888; but that is because, upon the basis then laid down, the sums turned out to be larger than had been estimated. The hon. Member has also alleged that this pro-

vision is in relief of realty. But does the hon. Member consider that all the local rates are paid by realty? If so, realty must contribute £20,000,000 a year in the form of local rates, and the reduction by £1,000,000 would not be much relief viewed from that standpoint. The hon. Member for Hull and the hon. Member for Oldham both referred to the Tea Duties, the former expressing a doubt as to whether the pocket of the consumer would be in the least benefited, and the latter doubting whether the Chancellor of the Exchequer would get many thanks for what he has done. As a matter of fact, however, I can assure the hon. Member for Oldham that evidence is accumulating every day at the Treasury that the Chancellor of the Exchequer has secured a great deal of thanks for what he has done in this direction. With regard to the point of the hon. Member for Hull as to the effect on China tea, I can assure the hon. Gentleman that there is no reason to doubt that Indian teas will be able to hold their own, notwithstanding this reduction of duty. As to the Beer Tax it has been asserted that both the public and the farmers will suffer—the former because brewers will water their beer, and the farmers because they will get less for their barley. These arguments, however, were urged last year, when the tax was originally imposed, and experience has not shown that it has led to any depreciation in the quality of the beer or to any fall in the price of barley. I am not sure that the Central Chamber of Agriculture, of which my hon. Friend is a member, has not refused to consider this question, or to endorse the opinion that the interests of barley growers will be seriously interfered with. Two hon. Gentlemen who represent different divisions of Glasgow have referred to a question of great importance, namely, as to the proportions in which these sums have been allocated to the Local Authorities of the three Kingdoms. I think I shall be able to show that this apportionment has been based on fair and just principles, and in accordance with the sources from which the total Revenue is raised, and that this apportionment is in fact slightly against England, and slightly in favour of Ireland and Scotland. Taking the Tax Revenue at £75,764,000, it is found

*Mr. Jackson*

by means of the most accurate calculation it is possible to make that £61,224,802 is paid by England, or 80·8 per cent.; £8,027,158, or 10·6 per cent., by Scotland; and £6,512,040, or 8·6 per cent., by Ireland.

**MR. DILLON (Mayo, E.):** Will the hon. Gentleman state on what authority he gives these figures? I am not aware that they are to be found in any public document.

**\*MR. JACKSON:** The figures have been obtained by the Department, and I believe that they are as accurate as it is possible for figures to be made.

**MR. FLYNN (Cork, N.):** Will the hon. Gentleman state the proportion which the taxation bears to the production of Excisable articles, such as spirits?

**\*MR. JACKSON:** Yes, presently. I may repeat that the figures have been made up with the greatest care. They may be accepted as being as accurate as it is possible for such figures to be made. In these figures the Post Office revenue is not included. Taking the surplus from the Post Office at £3,500,000, and distributing it between the three countries in the proportion of the number of letters calculated to be delivered in each country, the percentages will be found to be slightly different, namely, 81 per cent. contributed by England, 10·5 per cent. by Scotland, and 8·5 per cent. by Ireland.

**MR. O'HANLON (Cavan, E.):** Has the hon. Gentleman made allowance for articles cleared in England but consumed in Ireland?

**\*MR. JACKSON:** Yes; there has been some allowance made. It is quite true that there are cross items between the two countries, and also between England and Scotland. It is true, for instance, that beer comes from Ireland to England, and also from England to Ireland, and that tobacco is sent from Ireland to England, and I am not aware of tobacco being sent from England to Ireland. Allowance is made for these facts, and the figures work out as I have said, 81 per cent. for England, 10·5 per cent. for Scotland, and 8·5 per cent. for Ireland. The Chancellor of the Exchequer in making the apportionment of the Probate Duty allocated 80 per cent. to England, 11 per cent. to Scotland, and 9 per cent. to Ireland, so that England receives 1

per cent. less than its due, and Scotland and Ireland a half per cent. more than their due.

\*MR. PROVAND: May I ask if allowance is made for Income Tax collected in London, but in respect of Scotch and Irish incomes, from sources such as shares in public companies?

\*MR. JACKSON: I have already said that we have made all the allowances which we consider ought to be made in arriving at these figures, and upon being checked they will be found to be accurate. I will state to the House a few figures which will show the House how the taxation is apportioned and how it is allocated among the three Kingdoms. Out of a total of £3,704,000, £3,059,218 is paid by England, £388,594 by Scotland, and £256,188 by Ireland. The percentage of contributions, therefore, are 82·6 per cent. paid by England, 10·5 paid by Scotland, and 6·9 paid by Ireland. The distribution gives to England £2,963,200, to Scotland £407,440, and to Ireland £330,000. Therefore England receives £96,018 less than she pays, Scotland receives £18,846 more than she pays, and Ireland receives £57,000 more than she pays. I think that it will be seen that my right hon. Friend has given a distinct advantage to Scotland and Ireland as compared with England. The comparative figures showing the proportion of the Probate Duty paid by each country are these—England, 88 per cent., Scotland, 8 per cent., and Ireland 4 per cent. But according to the more recent figures there would come to hand for the last nine months an actual contribution of 90 per cent. from England, 6·5 from Scotland, and 3·5 from Ireland. The right hon. Gentleman, I believe, intends when he has got the figures into something like shape to lay them before the House in a clear form, in the event of hon. Members deeming them to be of sufficient interest for that course to be adopted. I think, therefore, that I have shown that the charge of unfairness which has been made with reference to the allocation of this local taxation is without foundation. The only injustice that has been done in the matter is that too much has been taken from England and too little returned to her.

\*DR. CAMERON: I do not allege unfairness as regards Scotland in the dis-

tribution of the Probate Duty, but in the distribution of the new Spirit and Beer Duty.

\*MR. JACKSON: It would not be fair to single out the Spirit Duty without taking into consideration the whole case, which shows that Scotland and Ireland have been unduly favoured at the expense of England. The right hon. Member for Bradford has made some rather good-natured remarks with regard to the action of the Treasury in dealing with the Post Office; but I can say most conscientiously that since I have been at the Treasury not only have the Post Office and other Departments not been stinted in any justifiable expenditure, but every application for extension of buildings and acquisition of sites has been met by the Treasury in a most reasonable spirit. I do not mean to say that they have yielded to every application, because I am sure that the Treasury have made the Post Office and every other Department show that the money they asked for was really needed in justice to the Service. The hon. Member for Northampton has rather warned my right hon. Friend that he had almost come to the conclusion that the surplus of last year was due to the epidemic of influenza; but I am glad to be able to inform the hon. Member that although the influenza has left us the buoyancy of the revenue continues. I hope that hon. Members will now allow the Bill to be read a second time.

MR. SEXTON (Belfast, W.): The hon. Member has declared that the Budget is a most popular one in the country. I ask what country he refers to? That is certainly not the case as regards Ireland, because it throws a most unfair burden upon an article of large consumption in that country. I object to the hon. Member laying mere results of calculations before the House instead of the figures upon which those calculations were based. Three years ago Mr. Giffen showed that Ireland contributes more than double what she ought to do to the Imperial Revenue. We are kept in the dark; we have no materials to go upon. A bland Minister rises at the Table whenever a financial debate occurs, and gives us some meagre fare in the shape of what he calls the results of calculations. I say with regard to the estimates of the relative proportions paid by the three



countries, we have every reason to doubt them. In our view the proportion paid by Ireland is nearly double what it ought to be. The hon. Gentleman has said that this new Spirit Tax will be in proportion to the yield from it, as in the case of the Probate Duty. What has the Probate Duty to do with it?

MR. JACKSON: You have got your share of it.

MR. SEXTON: The basis of the relative contribution from the three countries is no argument for the distribution of what is derived from the tax on alcohol. There is no possible relation between the two subjects.

MR. JACKSON: I think the hon. Member perhaps misunderstood what I said. I did not say that the allocation is made on the proportions of Probate Duty contributed. If the distribution were on the basis of the Probate Duty contributed, Ireland would get one-half what she is to get.

MR. SEXTON: Why did the hon. Gentleman refer to the contribution of Probate Duty at all?

MR. JACKSON: I only mentioned it to show that at the time the Probate Duty was allocated, my right hon. Friend fixed the proportions which local taxation should receive in the three countries.

MR. SEXTON: The only meaning of the reference to the Probate Duty was that the proportions correspond to the taxes received in the three countries. I say Ireland is at present unfairly taxed. It is very difficult to arrive at a conclusion so long as the Government act upon the policy of refusing us the materials on which they arrive at their own conclusions. May I remind the Government what happened five years ago when a similar attempt was made by a Liberal Chancellor of the Exchequer, who had no surplus, but a deficiency to make good? His position, remember, was a much more justifiable one than that of the present Chancellor in imposing new taxation, because he had to meet a deficiency. He made a proposal of the very kind which we are now protesting against. He proposed an increased duty on alcohol, and he was met with this Resolution—

“That increased tax on beer and spirits was inequitable in the absence of corresponding addition to the duties on wine”

*Mr. Sexton*

The Party opposite—whose chief object appears to be to show in 1890 how far they are willing to proceed in the adoption of more than one article of the financial policy which they denounced in 1885—with the help of the Irish Members defeated the Liberal Government on that very point, and drove them out of Office. If it was inequitable then, it is inequitable now. The duty on wine has not been materially altered. The duty on beer has been altered by  $\frac{1}{2}$ d. or 1d. per gallon, which is about the increase made by the extra duty of 3d. per barrel. You propose to put 6d. a gallon on spirits—a proportion which you described as inequitable in 1885, when a Liberal Chancellor of the Exchequer was struggling with a deficiency, but which you now adopt with a surplus of £3,500,000. Therefore, in regard to justification of the tax, you are in a worse position than was the Chancellor of the Exchequer in 1885. With his £3,500,000 surplus, the Chancellor of the Exchequer deals with it to the extent of £500,000 of expenditure and £3,000,000 in remissions. In the expenditure Ireland has no substantial interest; and in the remissions, she will only benefit to a small extent for the remissions on tea and currants, altogether, perhaps, to the amount of £150,000 or £200,000, a proportion very much less than her fair share in the way of remission. In the Memorial of the Irish distillers to the Chancellor of the Exchequer there are three statements. The first is as to the inequitable dealing between the three countries with regard to the tax on alcohol, and also as between the classes. The present tax on foreign wines is 3s. 10d. per gallon; on beer, 1s. 8 $\frac{1}{2}$ d.; on alcohol, 10s. per gallon. The tax on alcohol is six times as heavy as that on beer, and three times that on wine. Alcohol is the drink of the people; wine the drink of the wealthier classes. That is unjust as between the classes. It is also unjust as between the countries. Beer is the national beverage of England; whisky, for climatic reasons, is the national beverage of Scotland and Ireland. The tax on alcohol in Ireland is three times as great as it is in England. That fact cannot be disposed of by general arguments as to the proportions for the three countries to the whole Imperial Revenue. What is the relative

consumption in the three countries? Taking the consumption of alcohol in all its forms, the consumption in England over the year is  $6\frac{1}{2}$  gallons per head, in Scotland  $4\frac{1}{2}$  gallons, and in Ireland 3 gallons. That is to say, that England consumes one and a half times as much as Scotland, and twice as much as Ireland per head. What is the taxation per head? In England it is 11s. 8d.

\*MR. GOSCHEN: Will the right hon. Gentleman give me his authority? I make it 14s. 1d.

MR. SEXTON: It is the Memorial addressed to the right hon. Gentleman by the Distillery Trade and Wholesale Spirit Merchants of Ireland. In Ireland the taxation per head is 13s. 10d.; and in Scotland 18s. 10d. From the figures I have given, the just standard of taxation in England ought to be 31s. per head, in Ireland about 7s., and in Scotland only about half what it at present pays. Taking these three elements of calculation together it does appear that you have managed to make the taxes in Ireland about three times what they ought to be, and in Scotland about double. There is one point on which I wished to ask the Chancellor of the Exchequer a question. In what proportion is this £1,300,000 to be raised to be contributed by England, Ireland, and Scotland? He was unable to give us a reply. But surely hon. Gentlemen must see that the reply to that is only relevant to the present Debate. We have the fact before us that alcohol in Ireland is taxed six times as much as it is in England. Yet the Chancellor of the Exchequer proposes to add 6d. a gallon to the article manufactured and consumed in Ireland, and to raise the duty per head in the country by about 2s. How does he propose to raise the money? He proposes to raise one-third of the amount on the English beverages and two-thirds upon the Irish and Scottish drink. And how is the money to be applied? I say that if you are raising a new tax of this kind for local purposes, so much of the tax as Ireland contributes ought to go back to the local uses of Ireland, and so much as Scotland contributes ought to go back to the local uses of Scotland. You only raise £386,000 on the English beverage, and you propose that England shall get £1,000,000 of the whole sum; and though

you raise £700,000 on the Scotch and Irish beverage, you propose that Scotland and Ireland shall only have £250,000. I venture to lay down the principle that the fresh taxation from England, Ireland, and Scotland in this case ought to be proportionate to the amount to be given to each of the three countries for their local uses, and I fail to discover what right you have to levy two-thirds of your £1,000,000 on Irish and Scotch manufactures, in order that you shall pay the money over for the purpose of super-annuating English policemen, for extinguishing English licences, and for the general purposes of the English County Councils. Of the infinitesimal proportion of the whole million—only £100,000!—that you give to Ireland, you propose to lock up £40,000 for the purposes of of your precious Land Purchase Bill, and the remainder is to be distributed by a Department over which the Irish people have not the least control. So far from this being a defensible charge, it is a most audacious proposal. Having proposed to make more oppressive the inequality in the incidence of taxation, and having proposed to tax still further an article of Irish manufacture and consumption, you propose to spend the bulk of the special levy on the local uses of England. For my part, I shall ask my Party to divide against the Second Reading of the Bill because I regard this proposal as extremely oppressive to our country, and I shall feel it my duty to oppose the measure in its further stages. The Irish people were told at the time of the Union—it was one of the main arguments of Mr. Pitt in advancing the project of the Union—that Ireland would benefit by the connection with England, that the wealth of the richer country would fructify to the benefit of the poorer. Well, we have had 90 years' experience since the date of the Union to the present day. We have never benefited by the wealth of England, but the effect of the Union has been to cast on us an unfair share of the burden of the Imperial Service, and an unfair contribution to the Imperial Revenue. I rather think that the idea of Dr. Johnson was accurate, when he said, with regard to the Union with Scotland, that you would have robbed the Scotch if they had had anything of which you could have robbed

them. If he had lived in our day he would have said, "You have found an opportunity of robbing the Scotch." As to Ireland, the proposal of the Chancellor of the Exchequer is of a most oppressive character, as it taxes the last industry that is left to us. That industry being already oppressively taxed, the right hon. Gentleman proposes to add to that taxation for a purpose I declare to be indefensible. He is subsidising local purposes of England at the expense of the Imperial Revenue drawn from Scotland and Ireland.

(8.35.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

\* (8.37.) COMMANDER BETHELL (York, E.R., Holderness): I am anxious to take the opportunity of saying a few words upon the Bill not so much in criticism of the general principles of the Budget, but on one or two subjects in which I feel particular interest. In passing, I need not say I have any sympathy with the hon. Member for Poplar (Mr. Buxton), who began the Debate in which my hon. Friend the Member for Central Hull (Mr. King) spoke in a sense opposed to the Chancellor of the Exchequer. I hope the Secretary to the Treasury, who at present represents the Chancellor of the Exchequer, will not think me ungracious or ungrateful, if, while I thank the Treasury for the considerable assistance they have given to local rates, I say I feel a very strong objection to what is really only another form of subvention towards the existence of local finance. I do not want to argue the matter upon the grounds of orthodox economy, but the point that has forced itself upon my mind is that so long as assistance to the rates is given, substantially by way of subvention, we cannot expect to get quite the same interest taken in the proceedings of the County Councils by the gentlemen who form those important bodies that we should if they were responsible for raising the money. This will become more evident to the Secretary to the Treasury if he remembers that the subventions that are given to the County Councils are, in most cases—in one or two cases I know they are—very much larger than the rates the counties themselves have to levy.

*Mr. Sexton*

While a sum of money so large is in the hands of the County Councils, and the Councils have no direct responsibility in the raising of it, it can hardly be expected the Members will take the same interest in its ultimate allocation as they would if the money was the result of a tax more or less elastic in its character, and which they could levy. Local finance will never be upon a really satisfactory and sound basis until some equitable tax is found for what I call subventions. The present system of rating is so obviously unjust that people are naturally ready to cry out for assistance towards the rates. I am not now speaking of the taxing of realty and personalty, but the taxing as between land and other real property. What is wanted is some tax by which all the people in the country can be, more or less, taxed in the same degree for the object in which they are all interested. Of course, it is clear to the Secretary to the Treasury, as well as to the hon. Member for Essex, that whether men are farmers or landlords in the matter of rating they are subjected to the grossest inequality. It is that gross inequality which makes the County Council so anxious to have some means of increasing their resources without committing a great injustice upon a considerable portion of the community which they represent. I repeat that while I gladly acknowledge the assistance the Chancellor of the Exchequer has given to local rates, I think local finance cannot be placed on a sound basis until the County Council themselves have some tax made over to them in lieu of these subventions, the incidence of which tax will bear equally on all who live in the country—a tax which may be raised or lowered without considerable injustice being done. There is one other matter to which I desire to direct attention. It seems to me the hon. Gentleman the Member for West Belfast (Mr. Sexton) did not quite catch the explanation of the Secretary to the Treasury as to the allocation of the Revenue from spirits. It may not be fair to make Ireland and Scotland contribute through the Revenue to the local resources of England, but the hon. Gentleman appears to have overlooked the fact that England contributes to the local resources of Ireland and Scotland by handing over to those countries a greater

share of the Probate Duty than they have a right to receive. But it is one thing to say that the hon. Gentleman declines to recognise that view of the question, and another thing to say that one agrees altogether with the particular principle that the Treasury have adopted in the allocation of these grants. It is very difficult to say that we ought to take money from one country and hand it over to another for local purposes. At any rate there is something very unsatisfactory about it. I believe it is true that the incidence of the new taxation on spirits will be much greater in the case of Ireland and Scotland than in the case of England. Whether it may be, in the abstract, just or not it does not seem satisfactory to use money raised in Ireland or Scotland for local purposes in England. [*Home Rule Cheers.*] Yes; but on the other hand, it is no less satisfactory that English resources in the shape of Probate Duty should be used for local purposes in Ireland and Scotland. Another point to which I wish to draw attention is that which the hon. Member for Poplar and the right hon. Gentleman the Member for Derby seemed anxious to fix upon the Chancellor of the Exchequer, the idea that there should be a system of graduated taxation. It is one thing to have graduated taxation for the purpose of taxing wealth as such, and a totally different thing to relieve the pressure of taxation by means of a graduated system upon individuals whose incomes are of a somewhat restricted character; and persons with limited incomes have had the pressure of taxation removed from them. Then it seems to me that my hon. Friends the Members for Central Hull and Poplar were not quite just to the Chancellor of the Exchequer when they said that the effect of the small diminution in the Tea Duty will not be felt by the classes whom it is supposed most to benefit. If the diminution of the tax is small, and if its effect may not be felt immediately, I imagine that in the long run the remission will make a considerable difference to the people. As small increases in the duty on articles of consumption are felt by the consumers, so in the converse way small decreases of duty must be felt by the consumers. I feel that our taxation should rest upon

a broader and less contracted basis than that on which it at present rests, but, subject to my views about the disposition of the money which is to be applied to local purposes, and to which I may possibly endeavour to give effect in Committee, I shall certainly support the Budget proposals as embodied in the Bill.

(8.54.) MR. PICKERSGILL (Bethnal Green, S.W.): It seems to me that the Chancellor of the Exchequer should either have abolished the whole of the Tea Duty or let it entirely alone, for no possible advantage will accrue to the masses from the nibbling policy he has pursued. I rose mainly, however, for the purpose of correcting a statement made by the Chancellor of the Exchequer respecting the profits of the tea dealers in the East End of London, and on which he founded an argument. On Friday last the right hon. Gentleman amended that statement, but not sufficiently. The blunder in calculation made by the right hon. Gentleman was an extraordinary one, and it was the more inexcusable because, contrary to the usual practice, he made his statement first and sought for evidence to justify it afterwards. The mistake he fell into was only the natural consequence of his course of action.

\*MR. GOSCHEN: What action?

MR. PICKERSGILL: The day after the right hon. Gentleman made his statement, on April 21, he sent a Custom House officer to the East End of London post haste to purchase some packets of tea, and the inquiries were conducted with such haste that halfpenny packets of tea were mistaken for penny packets.

\*MR. GOSCHEN: I never sent anybody.

MR. PICKERSGILL: Then I and other Members and a large number of people in the country have misunderstood the right hon. Gentleman's statement. I understood the facts to be that after the Chancellor of the Exchequer made his statement on April 21, a Custom House officer was sent to the East End to obtain 24 halfpenny packets of tea, and we were told that in this part of London shopkeepers were selling tea at the rate of 5s. per pound. The right hon. Gentleman will have the opportunity of further correcting his state-

ment, which he now seems anxious to disavow. The statement, however, showed a complete failure to appreciate the conditions of retail trade, if not a strong animus against the small traders themselves. I am very sorry that the poor of the East End are obliged to buy their tea in halfpenny packets, but this is inevitable as long as the large part of the population remains on the verge of starvation, and if the Chancellor of the Exchequer will try to so improve their condition that they will be no longer compelled to make such small purchases, his efforts will be welcomed. In the meantime, I protest against the unfounded and cowardly attacks that are being made upon a body of citizens who, though poor, are as respectable as the right hon. Gentleman himself, and are not only useful but, I believe, necessary members of society. Is it reasonable to expect that a trader who sells his goods in almost infinitesimal parcels should get only the same price as the trader who sells in large quantities? The right hon. Gentleman has ignored the radical distinction between the two classes of trade, and equally has he ignored the conditions under which the trader at the East End of London carries on his business—the grinding rent and the intolerable burden of rates, which in the East End is double that imposed on those in the West End, in such districts as St. George's, Hanover Square, which the right hon. Gentleman represents. The right hon. Gentleman produced an impression that the small traders in the East End of London are making enormous profits, but I, speaking with knowledge on the subject, can say that this class have the greatest difficulty in keeping their heads above water, and few sections of the community are more entitled to public sympathy. In a sense, no doubt, these traders are middle-men, but I do not know that it lies in the mouth of the Chancellor of the Exchequer to level taunts against middle-men. The middle-man who deals in tea is at least as respectable a man as the middle-man who deals in money, and it is hardly fair that men who acquire colossal fortunes by means of one class of operations should be ready to fling stones at those who scrape together a humble livelihood by another class of middle-man operations. The

*Mr. Pickersgill*

right hon. Gentleman may say he knew nothing of the conditions of the trade; then he had been more prudent had he said nothing about it. Now, I propose to correct the right hon. Gentleman's corrected statement about the profits on the retail sale of tea. In this box I have 24 halfpenny packets of tea, which are open to the inspection of hon. and right hon. Gentlemen. These packets were bought over the counter in the ordinary way of trade in Bethnal Green and the neighbourhood, and I may say they were bought soon after the right hon. Gentleman's original statement, to which I was prepared to offer a contradiction long before he made his correction on Friday. I did not buy these parcels myself, or suggest their purchase. I have a constituent practically interested in the subject, who some years ago was a general trader in the East of London, and his *esprit de corps* seems to have been wounded by the remarks of the Chancellor of the Exchequer, and he, therefore, procured from 24 shops a sample of tea for a halfpenny, sending his little son, 10 years of age, into shops after nine at night, while he, his father, remained outside, so that it is a perfectly *bona fide* transaction, and I can vouch for the integrity of my correspondent. I have had each of these parcels weighed by a practical man, a counterman accustomed to the use of scales, under my immediate supervision, and of these 24 packets 11 weighed, at least,  $\frac{1}{2}$  oz. each without the paper; that is, the tea was sold at 1s. 4d. per lb.; 11 other parcels weighed 6 drachms each net, and the price, therefore, was 1s. 10d. per lb.; one weighed a little over 5 drachms, equal to 2s. 2d. per lb.; and one weighed  $\frac{1}{4}$  oz., being at the rate of 2s. 8d. per lb. Finally, I had the packets weighed together, and the net weight of the tea was 10 $\frac{1}{2}$  oz., so that this is the quantity of tea that is sold in the East End of London in small parcels. In other words, the average price in halfpenny packets is 1s. 6d. per lb. This, I think, contrasts very favourably with the second statement of the Chancellor of the Exchequer. As regards the quality of the tea, I have taken the opinion of an expert, and while, in two or three cases, it is true the parcels contained merely tea dust, and

was very bad, in the majority of cases the tea was full leafed and of fair average quality. Now I have discharged the duty I took upon myself. I have no doubt there are general dealers at the East of London who get exorbitant profits out of the poor, and sell adulterated goods, and I should be glad to join with the right hon. Gentleman, or anyone else, in exposing and, if possible, punishing these exceptionally dishonest traders, but, as regards the general body of small traders, I come to the conclusion, after careful observation and inquiry, that there is little reason for complaint. I hope these remarks which I have ventured to make in the House to-night, may be the means of removing, at all events to some extent, the cloud of suspicion and distrust raised around these humble traders by the unfounded—and I am afraid I must say cowardly—attack upon them by a Minister of the Crown.

\* (9.10.) **BARON DIMSDALE** (Herts., Hitchin): In a few words, I wish to treat the Budget from an agricultural point of view. There are points in which justice has been done to agricultural interests, but others where much is left to be desired. In the first place, as one who joined last year in the protest against the unfair way in which local finance was treated, I have to express my thanks to the right hon. Gentleman for what he has done this year in this regard by the allocation of £393,000 to the reinforcement of local revenue. But the point upon which I would dwell for a few moments is the injury that is inflicted upon barley growers and beer drinkers, an injury which falls specially on the agricultural interest. The Chancellor of the Exchequer, in introducing the Budget, explained that he should be unable to reduce the Income Tax because he owed something to the classes who had procured for him a large amount of the surplus. I thought there was some force in that argument, but then, as the right hon. Gentleman proceeded, he arrived at what, I think, is a very illogical conclusion. No less than £1,800,000 of the surplus is the result of the increased consumption of alcoholic drinks, and yet the right hon. Gentleman places extra taxation on the barley-growing and beer industry of the country, while he gives relief by a reduction of the duty on tea,

upon the consumption of which article there was a considerable reduction in 1889. That seems to me to be a most illogical proceeding, after expressing the intention to give relief to those who provided the surplus. He offers them no relief, but burdens them with increased taxation, and reserves his special favours to the tea drinkers, who are entitled to no relief on the principle he has himself laid down. I do not complain of the Tea Duty, though I think the Chancellor of the Exchequer has pursued but a half-hearted policy in the right direction. He should have made the reduction more considerable, if at all, to have made it a real benefit. I would not have the Tea Duty abolished altogether; that would be a mistake. Cutting off from time to time indirect taxation means an extra penny added to the Income Tax. If the right hon. Gentleman had not reduced the Tea Duty at all I should not have grieved very much. Now, last year we had considerable discussion upon the Beer Tax, and a strong feeling was evinced against the tax, but the Chancellor of the Exchequer would not give way on the question, and many of us withdrew the opposition we entertained when the right hon. gentleman was careful to point out that in putting this extra tax upon beer he did not intend it to be a lasting tax, and he intimated that it would be taken off when the Revenue should be in a satisfactory state. The Chancellor of the Exchequer intimated that it was only imposed to meet the increased war expenditure. Well, the Revenue is in a satisfactory state this year. The right hon. Member for Mid Lothian, acting as the representative of the Aberdeen Government for the Brewing and Barley Growing Interest, during the Crimean War, put an extra tax of 10 per cent. upon malt, but he said it would be taken off again because it was imposed for a temporary purpose. Lord Palmerston, who succeeded Lord Aberdeen, when the temporary purpose was served, took off the tax, for he always kept his word. But now we are placed in a worse position than before, because if it continued to be an Imperial tax, we should have a considerable party opposed to its continuance, but now that it is given over to the County

Council the practical effect of that ingenious operation is to separate the interests of the owners and the occupiers of the land. Another peculiarity of this arrangement is the ear-marking of this Beer Duty to be applied to the special purpose of compensation for the closing of public houses, and in this, I think, a want of confidence is exhibited towards County Councils in supposing that they would not carry out the principle of compensation unless a particular tax was ear-marked for the purpose. This, too, is at variance with the declaration made by the Prime Minister in 1885, just before the General Election, when he said, in giving the control of public houses to Local Representative Bodies there would be ample guarantee that too many houses would not be unnecessarily or recklessly closed, because the funds under local control. But now you are withholding that control, and the money is to be devoted to a special purpose. The tax, having been imposed for a temporary purpose, ought to pass away when that purpose is served. And now a word as to the tax on beer and spirits. The fact is it was upon this question that the Government of the right hon. Gentleman the Member for Mid Lothian was turned out of office in 1885, and I think we owe some explanation to those who united with us then in turning out the Government of that day, when we are now pursuing the same policy then pursued by our opponents. Depend upon it it is a great mistake to act upon one set of principles in office and another in opposition. I can entirely acquit the Chancellor of the Exchequer of any share in that, for I believe he supported the Budget of 1885 by his independent vote and speech, and now introduces to the Parliament of 1890 proposals based upon the same lines, and the same principles as were embodied in the condemned Liberal Budget of 1885.

(9.22.) **MR. BUCHANAN** (Edinburgh, W.): I desire, in a few words, to call attention to that branch of the subject which deals with the allocation of funds derived from Imperial sources to Scotland and Ireland. The Secretary to the Treasury very rightly said the subject is of very considerable importance. It is of considerable and growing importance on political grounds, to which I will not now allude, and because of the line the

*Baron Dimsdale*

Chancellor of the Exchequer has adopted in dealing with the transfer of Imperial funds for local purposes. The Secretary to the Treasury, during his speech, was asked several questions as to the foundation upon which he based the figures he gave us, and I think Scotch and Irish Members were justified in their interpolations, and we have reason for making a searching inquiry. The subject has, from time to time, been before the consideration of Parliament during the past five or six years, and various opinions have been given by financial authorities, but we are still in a state of considerable ignorance as to the exact state of the contributions from Scotland and Ireland and the Imperial Exchequer, and what the proper proportion should be of the sums which are to be allotted to purely Scottish and Irish purposes. In 1883 this subject was raised in the House by the hon. and gallant Member for Galway and the late Member for the Partick Division, and a Return was furnished in 1884. I have not had the time, nor do I possess the knowledge, to make a comparison of the figures in this Return with those given by the Secretary to the Treasury, but on the face of them there appears to be discrepancy. I observe that the Return has an addendum to the effect that the Treasury are not responsible for the accuracy of the Return, and I think we are justified if we evince a considerable amount of—I will not say mistrust—but of curiosity, and a desire for information as to the basis of these figures given by the Secretary to the Treasury. There are three methods by which it has been proposed to help local taxation out of Imperial Funds. There is the method of absolutely assigning over to the Local Authorities a tax which they collect and spend. There is the old system, in operation two years ago, of grants in aid given in proportion to the sums spent on the particular object by the Local Authorities. Lastly, there is the method proposed by the Chancellor of the Exchequer in 1888, and which has been in operation from that time until now—that of assigning these sums from the Probate Duty to Local Authorities. These are to be given to the Scotch and Irish authorities in proportion to the general contributions of Scotland and Ireland to the Imperial Exchequer. The Secretary

to the Treasury has given figures to the House to-night with the object of showing that the principle of distribution stated by the Chancellor of the Exchequer in 1888 is a fair one to Scotland and Ireland, and the proportion which the right hon. Gentleman then laid down as a guide was that Scotland should get 11 per cent., Ireland 9 per cent., and England 80 per cent. The hon. Gentleman then went on to describe the proportion in which the grants are to be allocated, and, commenting on the sums already given to Local Authorities out of the Imperial Funds since 1888, stated that they consisted of two large sums, the grant from the Probate Duty and this proposed grant from the increased Spirit Duty. He showed us what the proportion would be from the Probate Duty, but he was not able to show what the precise allocation would be from the increased Spirit Duty alone. I do not think that the Chancellor of the Exchequer will deny that the contributions from Scotland and Ireland will be considerably in excess of what they will obtain in the shape of grants from the Imperial Exchequer. It is not fair to retort that those two countries have received more than their share out of the Probate Duty; the fact remains they will get considerably less than their share from the Spirit Duty. I submit to the Chancellor of the Exchequer this consideration, that, undoubtedly, the smaller and poorer nationalities of Scotland and Ireland expect to be treated with some consideration in regard to this question. They have reason to complain of the unfairness of the proposals made by the Chancellor of the Exchequer. I should like to have from the right hon. Gentleman some further information as to the basis on which the figures quoted by the Secretary to the Treasury are calculated, in order that the House may be able, before the Committee stage, to form a definite judgment on the equity of the proposals as they affect Scotland and Ireland. As the matter at present stands I think the impression conveyed is that the method by which the Chancellor of the Exchequer endeavours to aid local expenditure will, in the long run, press most heavily on the smaller nationalities.

\*(9.35.) MR. R. G. WEBSTER (St. Pancras, East): I propose only to speak on one special point, to which my atten-

tion has been drawn by several of my constituents. In Clause 3 of Section 1 I find a proposal to abolish the duty on currants from the first day of this month, and I am informed by my constituents that, as a matter of fact, the trade in currants is done chiefly in August and September. It would, therefore, be of great convenience to that special trade if the reduction of the duty were postponed till some date in the autumn. I cannot help congratulating the Chancellor of the Exchequer on the fact that while removing the duty on currants he has been able to obtain some equivalent from Greece. I think it is satisfactory that our exports have been encouraged by the removal of these duties, and I hope that this principle, which has now been established, will be acted upon more frequently in the future, and that we take care to receive some equivalent advantage in our turn when we take duties off commodities imported from other countries. I think the Chancellor of the Exchequer was wise in taking the duty off silver plate, because these goods come mainly from India, where they are manufactured in large quantities. The duties charged on the importation of our chief manufacturing commodities into India is, comparatively speaking, a light one, and I think, therefore, we owe some return to India for the policy the Government there have pursued. The remission of this duty will not only be a gain to India, but it will encourage the industry of the manufacture of silver goods generally, and probably be the means of making the relationship between the value of gold and silver less marked than at the present time.

9.38. MR. JAMES ROWLANDS (Finsbury, E.): I propose to confine my remarks to the second portion of the Bill. I think we have some cause for satisfaction with regard to the abolition of the Gold and Silver Plate Duties in knowing that at last the fatal step has been taken. For a large number of years the trade has been interfered with during the month or two preceding the Annual Budget Statement, because those employed in the industry have not known what course the Chancellor of the Exchequer would take. This state of uncertainty has now been put an end



to by the action of the Chancellor of the Exchequer, who has been subjected to a good deal of pressure from those connected with the trade, a great many of whom are in favour of the retention of the duty. The right hon. Gentleman has allowed a drawback with regard to silver plate, but he has refused it in regard to gold plate, and from my experience of the trade I can tell him that a large number of small manufacturers and small shopkeepers have been very hard hit by the sudden action which he has taken. The effect of the abolition of the Gold Plate Duty is especially marked in the case of wedding rings, and I appeal to the right hon. Gentleman whether he cannot re-consider his decision and allow a drawback in the case of wedding rings. From the estimates which have been made I believe it would only cost him some £5,000, and while that is an infinitesimal sum to him, it represents a very large sum to the dozen or so of manufacturers doing business mainly in London and Birmingham, upon whom the loss will fall. I ask the right hon. Gentleman to consider whether something cannot be done for the wedding ring makers, if for no other class of persons employed in the gold plate trade.

\*(9.45.) MR. AINSLIE (Lancashire, N., Lonsdale): As one of those who took action in the matter, I should like to say how grateful I am to the Chancellor of the Exchequer for having listened to the representations made to him on behalf of the lodging-house keepers, who will experience some relief under the provisions of the Bill. Several of the speakers to-night have made reference to the abolition of the duty on silver plate. I may remark, with reference to that, that instances may arise in which hall-marking is not altogether an advantage. I desire to see some relief given in the direction of the import of silver articles from India. I am one of the few Members of the House who really represent India, as I was born there, and I think I can speak on behalf of that country quite as much as some Members can speak on behalf of their particular constituencies. I have but one other point to refer to. I am somewhat disappointed that the Income Tax has not been reduced, because it seems to me that a reduction of that tax is to the

benefit of the working classes. Many men, whether rightly or wrongly, live up to their incomes, and immediately the Income Tax rises they meet it by reducing their staff of domestic servants, while, when it falls, the staff is increased. I do hope, therefore, that the Chancellor of the Exchequer will take the next opportunity of reducing the tax, and thus find employment for some of the many idle hands throughout the country.

(9.47.) MR. DILLON: When I read the Budget speech I felt great disappointment at the treatment to which Ireland was proposed to be subjected. I recollect that only about two years ago, in the course of a Debate which took place in this House, the Chancellor of the Exchequer, in reply to some observations from myself, assured me that he felt there was a great deal of force in the complaints which were made by Irish Members of the unjust incidence of taxation on the Irish people, and he added—I suppose by way of comforting Irish Members after the rejection of the Home Rule Bill—that it would undoubtedly be the duty of Finance Ministers in the future to give the most serious attention to the facts placed before them with regard to the financial relations between Great Britain and Ireland. What has been the history of this matter of the unequal incidence of taxation as between Great Britain and Ireland? It has been a very simple one—that all the remissions of taxation which have been the boast of successive Chancellors of the Exchequer for the past 50 years have been of such a character as to bring more relief to Great Britain than to Ireland. We have heard in the course of this Debate of the hundreds of taxes that have been swept away during the last half century; but all these taxes so remitted were of such a character that the relief was more felt in England than in Ireland. On the other hand, the taxes which have been increased during these years, almost without exception, have weighed more heavily upon the Irish people. When I come to examine the incidence of taxation as between the two countries what do I find—that especially on tobacco and whisky have the taxes been increased, and the Finance Ministers of this country have by that means been enabled to

*Mr. James Rowlands*

compel the poorer population in Ireland to pay at least two or three times their just share of the contribution to the Imperial Exchequer. The people of Ireland, I may say, since the time of the Union, have been engaged in making unavailing complaints against the gross injustice. So long ago as 1864 a Committee of the House sat and reported very fully on the subject, and from that Report a good deal of useful information can be obtained. The question was again discussed in the House in 1886, when Mr. Giffen, who is allowed to be the greatest authority on statistics in the country, turned his attention to the financial relations between Great Britain and Ireland, and what was his verdict? It was that the people of Ireland are paying more than double their just proportion into the Imperial Exchequer. That undue and unfair proportion of taxation, which has been the one cause of the terrible poverty of the Irish people, has been brought about by the taxes on tobacco and whisky. It is not for me now to enter into the question as to whether or not the Irish people drink too much whisky, or ought to drink something else. I wish the Irish people would drink no whisky at all. But that is not the point. The question is, have the Government a right, because they think the Irish people consume one particular form of drink, to throw the burden of taxation on that article? If the Chancellor of the Exchequer had any intention of acting in the spirit of the declaration to which I have alluded, the last thing he would have thought of doing when he required additional money would have been to increase the very tax which has been the cause and the root of the injustice to which I have referred. The Chancellor of the Exchequer found that the Wheel and Van Tax was defeated—a tax which would have fallen with infinitely greater heaviness on the people of England than of Ireland—in fact, so far as my constituents are concerned I believe it would not touch them at all, for they generally remove their goods on donkey carts. He then had recourse, on the principle of least resistance, to the old and well worn resource of British financiers—namely, the article of Irish whisky. He accordingly proposes under this Bill to put an extra duty of 6d.

in the gallon upon an already over-taxed article; while with regard to the alcohol contained in beer he taxes it only in proportion of one-sixth, as compared with Irish whisky. In fact, he proposes to tax the people of Ireland six times as heavily on their national drink as he proposes to tax the people of England on theirs; whereas, even if he made the tax even in each case it would be still grossly unfair and unjust to Ireland. When the hon. Member for West Belfast put forward our objections against this scheme, how was he met? The Secretary to the Treasury stood up and referred him to the distribution of the Probate Duty. But that is not the question before the House—it is a question of an extra tax of 6d. on Irish whisky. When we come to inquire, as well as we can inquire, having regard to the very small amount of information at our disposal from the Government, into the distribution which is to be made of the taxes, we find that the grievance of which I complain is increased twenty-fold. I believe I am right in saying that England will get back four-fifths of the entire sum contributed, whereas in all probability she has not contributed more than half. [No, no!] Hon. Gentlemen opposite cry “no;” but if my calculation is not an accurate one why did not the Chancellor of the Exchequer tell us the true figures, and why has he refused to do so? I protest against any tax on Irish whisky or tobacco. By increasing the tax on those articles you are doing a grievous injustice to Ireland, and one which the Irish Members will insist on bringing forward in this House in season and out of season. Again, in the remissions which have been made the Irish people are unfairly treated. You say you are striving to maintain the Union. Is that the way to do it? I say that for no purpose have you a right, having regard to the financial arrangements of the two countries, to lay this extra tax upon those articles, and least of all have you a right to place a tax upon those articles and then distribute the proceeds in the way in which you propose to distribute them, a method of distribution which will not benefit the Irish people. In the matter of remissions, it is undoubtedly true that the Irish people are unfairly treated. What is the one chief remission you have made?

It is just the old, old story of Budgets in the past, remitting taxes to the sole relief of the people of Great Britain, and imposing taxes on Irish whisky or tobacco. I say you have no right to impose this tax and then to distribute the proceeds of that tax in the unfair way you do. The object of this tax is to buy out and extinguish licences in England. The House has not yet consented at all to that principle of buying out licences. I think it monstrous and outrageous to levy a tax on an Irish article of consumption to carry out an object which this House has not sanctioned at all. I protest against this doctrine. We know perfectly well that 6d. a gallon on whisky will come largely out of the pockets of the poor in Ireland. Is that the message of statesmanship to Ireland? Have the poor peasantry of Ireland to pay compensation to the publicans in England? The business of the publican in England may be a very bad thing, but you find plenty of men to take it up. It is nothing short of an outrage to drag out of the pockets of the poor peasantry of Ireland the funds by which these English publicans are to be compensated, if the proposal is ever to pass. Then a large part of it is to be used for the superannuation of the English police. Can anything be more outrageous or unjust than to take the money of the people of Ireland for that purpose? Surely the people of England ought to provide for their own police. The Secretary to the Treasury has refused to give us the only information we asked for, and which the Government ought undoubtedly to have had in their hands when they proposed this to the House. I hold in my hand a Return which was made in 1883, when the present Chairman of Committees was Secretary to the Treasury, on this very subject. He puts the amount of revenue collected in Ireland at £8,194,978. But we are informed by the present Secretary to the Treasury that Ireland only contributes a little over £6,000,000.

MR. JACKSON: The figures which I gave are as far as can be ascertained the amount paid by the consumers.

MR. DILLON: I know that; but in a note to this Return it states that owing to the way the accounts are kept it is impossible to get an accurate Return of what Ireland contributes. All we know

*Mr. Dillon*

is that over £8,000,000 is collected in Ireland for the Revenue. I am not prepared to say that it does not fall below that amount, but Mr. Robert Giffen and other high authorities have placed the contribution of Ireland at a very much higher figure than that given by the Secretary to the Treasury. But the Secretary to the Treasury adopts a practice which is inadmissible in debate; he produces a set of results supplied to him by various officers, and which we have no means of checking. Nobody in the House has greater respect than I have for the hon. Gentleman the Secretary to the Treasury; we on these Benches all recognise his kindness and courtesy; but the inconvenience of a method of statement of that kind is obvious. But I put against the authority of the Secretary to the Treasury the authority of Mr. Robert Giffen, and from these contradictory authorities emerges the fact that nobody knows what Ireland contributes to the Imperial Revenue; and you have no right to found any arguments on any statements of this kind. It is absolutely essential, for the guidance and information of this House, that you should be in a position to lay on the Table a Return showing and proving how much Ireland contributes to the Imperial Revenues of this country. I contend that it is outrageous to levy this extra tax upon Ireland, and to proceed to distribute it, leaving Irish Members and Ireland absolutely in the dark as to the contribution of Ireland to the Imperial Revenues. The Secretary to the Treasury went on to say that Ireland in reality only contributed 4 per cent. to the Probate Duty. That may or may not be the case, but it strikes me that it is most extraordinary that when this subject is broached from one side everything diminishes and dwindles away, and when it is approached from another side. [Dr. TANNER: It is like agrarian crime.] Yes; my hon. Friend reminds me, it is like agrarian crime, which, when a Coercion Bill is wanted, swells up like a balloon; and when it is desired to show the salutary effect of coercion, the country is then a perfect model of peace and order. The Secretary to the Treasury says Ireland contributes only 4 per cent. to the Probate Duty; but I find that the right hon. Gentleman the Member for Mid Lothian,

when arguing against us in the debate of 1886 on this very question of the relative contributions of the three countries, undertook to show that Ireland was only contributing a just proportion. He took the Returns of property on which Probate and Legacy Duties were paid for three years, and he brought out this result—that property in England was 13 times the value of the property of Ireland. According to the Secretary to the Treasury it is as one to 25. So, when we make out that we are paying much more than our proportion, we find the Legacy Duty and Probate is as one to 13; but when we try to get back our money from England the Legacy and Probate Duty dwindles away to one to 25. Before you move a single inch in this matter of the distribution of grants for local purposes between Great Britain and Ireland, you are bound to give us a fair, full, proper, and conclusive Return of the relative contributions of the three countries to the gross Revenue of the United Kingdom, so that we may be able to know how much the 6d. a gallon on spirits will bring from each country. How unreasonable the position of the Government is. We all know how much a 1d. Income Tax brings in. I contend that it is outrageous to proceed to levy this tax for local purposes without ascertaining the details of the tax. If the tax be passed, as I hope it will not, it will constitute another Irish grievance. [*Laughter.*] Certainly. I do not quarrel with this Session of Parliament, because it seems to me that the Ministers are devoted to the well-known manufacture of Irish grievances. They say—"They are our chief stock-in-trade, and we are doing a flourishing business in them." We have no objection to the manufacture from one point of view. That tax is expected to bring in £1,250,000.

\*MR. GOSCHEN: No; the amount is £700,000.

MR. DILLON: Then, I have made a mistake in my figures, but, at any rate, you are to get back £118,000 as Ireland's share of this tax, and I say that, in addition to the grievances attaching to the way the tax has to be raised, you are proposing an unjust distribution of the money, which materially increases our grievance. First of all £40,000 of Ireland's share is to be tied up from use until a Local Government Board is constituted in Ire-

land, and the whole of the £118,000 is to be used without our consent as a guarantee of the Government for the Land Purchase Bill, so that we absolutely get nothing at all. The £40,000 is to be tied up until the proposed Local Government Board is constituted and has power to deal with licences, but when will that be? We have no knowledge as to when we shall get those Local Bodies, and the House ought to remember what our experience in regard to Local Bodies has hitherto been. We were told three years ago we were to have local government, but now we seem even further away from it than we were then, and, in point of fact, our prospect is something like that of a man who when climbing a mountain sees an eminence before him which he thinks is the top, but as soon as he has climbed it he finds that the real mountain top is almost as far away as ever. As it is, the money is to be tied up for an indefinite time, until the Government see fit to declare that Ireland is in a normal condition—a condition in which it never has been in the memory of man. During all this time we are to submit to this unjust tax. Is this fair and even treatment as compared with the case of the English and Scottish people, who get their shares at once. With regard to the £7,000 which is to be given ultimately towards primary education, that also is to be tied up as a contingent guarantee. We go upon the principle that a bird in the hand is worth two in the bush, and therefore protest against being celled on to vote this tax while we have no security that we shall ever get half of the money, and therefore, Sir, I side with my hon. Friend the Member for Belfast in calling on our friends on these Benches to divide against this Bill, and to offer it at every stage all the opposition we can give. If you insist on imposing this extra tax of 6d. on Irish whisky, you may depend upon it you will not have heard the last of it when this Bill is carried. You will find that you have laid up a store of trouble that will manifest itself for years to come. Before sitting down I would appeal to our Scotch friends to aid us in resisting this Bill, because while it is one that will inflict cruel injustice to the people of Ireland, it will undoubtedly inflict injustice on the people of Scotland, less perhaps in the case of Scotland, because the Scottish people have deeper pockets,

and a Scotchman would less feel a robbery of £1 than an Irishman would feel a robbery of half-a-crown. The tax is one which, if passed, will plunder both the Scotch and Irish people for the benefit of the English, and therefore it is an outrageous proposal which every Scotchman and Irishman is bound to repudiate.

\*(10.25.) MR. GOSCHEN: I entirely admit that the strongest attacks which have been made upon the Budget have come from the Scotch and Irish Members, and it is to that part of the Opposition that it will be my duty mainly to confine the few remarks I have to make. Otherwise I am bound to say that it strikes me that to a great extent everybody who has taken part in this Debate has been answering everybody else. One hon. Member contended that the additional Spirit Duty would be paid by the publicans; another immediately replied it was absolutely certain that it would be paid by the consumer, while a third hon. Member was as certain that the real loss would fall, not upon the publican or the consumer, but upon the barley-grower. For my part, I am not prepared to decide between these great authorities as to who will ultimately have to bear the burden of the tax, but I am inclined to agree with the right hon. Member for Derby that ultimately this tax will be borne by the consumer. It is possible that for a certain time the publican may suffer, but I do not think for one moment that the barley-grower will be permanently affected by the tax. Then as regards the Tea Duty, some hon. Members say that the remission will only benefit the middlemen, but this suggestion was promptly replied to by other hon. Members, who said that the consumer will benefit, and as far as I can judge, it is certain that a large portion of the benefit consequent on the reduction of the Tea Duty will go to the consumer. Then as regards the assistance given to the County Councils, some hon. Members were of opinion that it was wrong for the Government to give any such assistance. On that point, however, I am bound to say that the requisitions made upon the Government to come to the assistance of the County Councils have proceeded as much from County Councils in which Liberal opinions prevail as from those in which Conservative opinions preponderate. The next general charge made against the Budget, and which found

*Mr. Dillon*

considerable favour against hon. Members opposite, and approval from some hon. Members who sit on the Ministerial Benches, is that the surplus has been frittered away. But I noticed that scarcely any single hon. Member has pointed out the direction in which I ought to have frittered. A certain number of duties have been inherited by me. There is the Volunteer Grant, for instance. Hon. Members opposite have so convinced themselves, since the present Government have been in power, that it is necessary to assist the Volunteers that they lent a hand with great readiness to hon. Gentlemen on the Ministerial side in defeating the Government on this question, and it certainly does not lie with those hon. Members to complain of these proposals with regard to the Volunteers after the vote of the House. Then I presume that that is a point upon which we have not frittered? Then I come to the £300,000 given towards the cost of barrack accommodation. Having an ample surplus, I thought it right and orthodox that we should pay that sum out of the Revenue for the year. I have noticed that hon. Members from Ireland, who are extremely and properly anxious with regard to barrack accommodation in that country, have treated that as one of the points in which Ireland has great interest. There, again, is an item with regard to which I do not think any reproach can fall upon me. I now come to another small item, namely, the colonial postage. There is only one Member of the House who has raised any objection on that; and there, again, is a matter on which I do not think any reproach can rest on me. [*Interruption from the Irish Members.*] I am referring to the propriety of having dealt with these particular points, and answering an objection which I think I am bound in courtesy to take notice of. In the smaller concessions I have made I have been doing that which I think the public and this House have demanded should be done. Now I come to the Silver Plate Duties. There has been not an absolutely unanimous, but a fairly unanimous feeling that remission was the proper course to take, and, again, the hon. Member acquits me of having frittered in this direction. Well, I am getting on. I say that as to the Silver Plate Duties I had very little choice in the matter.

Previous declarations on the part of other Chancellors of the Exchequer, and the recommendations of Select Committees and Commissions, imposed this upon me as a step which ought to be taken. I come to another comparatively small remission, with regard to which I have not heard a single word of remonstrance—the diminution of the Currant Duty. That, I think was absolutely justified, looking at the great service we have been able to render to Greece, and the compensation to our manufacturers we were able to secure from that country. While, in the abstract, hon. Members complain of small remissions, this is a small remission to which no exception has been taken. There remain only the Tea Duty and the House Duty as the two large concessions that have been made; and whatever magnificent notions hon. Members may have as to the preparation of Budgets, I think that a remission of £1,500,000 on one particular article is not a small remission. An hon. Member has said we had better have reduced the duty by one-half, as it would then have been easier to have abolished it altogether; but the Government are not prepared to pave the way for the abolition of the Tea Duty. There remained about £600,000, and I do not think any Member of the House has contended that that balance was not properly bestowed in relieving the house occupiers between £20 or £60.

MR. DILLON: We contended that the House Duty was not properly apportioned.

\*MR. GOSCHEN: I am glad, at any rate, to think that the Irish participate to the full in the reduction of the Tea Duty and the duty on currants; and it has been recognised that the classes occupying these houses are entitled to relief. Ireland has no share in the House Duty, and therefore in this respect the Irish are a happy community.

MR. M. J. KENNY (Tyrone, Mid.): It would not pay to collect the House Tax in Ireland.

\*MR. GOSCHEN: Houses above the value of £20 are free from the obligation of paying the duty which unfortunately has to be paid in England and Scotland. But, at the same time, I quite admit that Ireland would not gain by the abolition of the duty. But I must go on with my general argument, and I will approach the Irish and Scotch

question by itself. I have endeavoured to prove that the remissions I have made have been remissions that were apart from the great controversy as to whether I ought to have taken a penny off the Income Tax, and that they have been such as have recommended themselves to public opinion, and I do not believe that any large portion of that remission will fail to reach the quarter which it is intended to benefit. The hon. Member for Finsbury spoke of the grievance under which wedding-ring manufacturers suffer through receiving no drawback. Well, it is impossible to reduce duties without involving hardship in some quarters. Those who have laid in a considerable stock of currants, for instance, will lose; also those who have laid in a large stock of tea. I have been asked not to allow the proposal with respect to currants to come into operation before the 1st of October; but the result of inquiries in both the wholesale and retail dried fruit trade has convinced me that more harm than good will come from the concession, and I cannot, therefore, agree to postponing the operation of the Bill until that date. In the same way as in the currant trade the manufacturers of wedding rings will have a certain loss. The case is certainly hard on them, because I understand their profits are extremely small, and the duty is heavy as compared with their profits; but without opening the whole question of drawback, we were unable to make the concession which the hon. Member demands. If such a concession were made to the manufacturers, it would immediately be claimed by the retailers, and I have had communications from pawnbrokers also on the subject. It is difficult to find out what is a new wedding ring. Old ones are burnished up, I understand, so as to appear new; and on looking at the matter broadly, though anxious to find some means of meeting the grievance complained of by the hon. Member, I have been unable to find such means. Then the hon. Member for Bethnal Green made what his constituents will characterise as a "savage attack on the Chancellor of the Exchequer" with regard to the unfortunate mistake as to the question of tea, for which I expressed my regret in the House. I think he exaggerated the matter extremely when he wished to

represent me as anxious to make a cowardly attack on the grocers. Why such an attack should be "cowardly" I do not know, because they are an extremely formidable body for any single person to attack. I do not wish to bring forward any evidence to modify the statement of regret I then made, and I shall not attempt to deal with the views of the hon. Member. I can only say, as I am bound to say, that when I spoke of the prices paid for tea in many villages I spoke with actual knowledge, which has since been confirmed, and which hon. Members have told me is borne out by their own experience. But I wish hon. Members to dismiss from their minds any idea that I wanted to make an attack upon grocers, nor did I wish to attack any middlemen in particular. I was anxious that the 2d. should not be lost to the consumer, and I believe it is the case that he is already in many parts of the country deriving advantage from the reduction. More than that, I believe that in many cases what will happen has been to some extent already anticipated, namely, that the reduction in price has been greater than the reduction of duty. The trade, seeing that confidence has been restored, have found it is possible to make a larger reduction than 2d. in the pound. An hon. Friend of mine, who is not now in his place, spoke against the Bill from the point of view of the publicans, and said he hoped I should not be hard upon them in reply, as he thought I had been after he had reflected upon my Budget speech. I should not be surprised if, in the interval between its delivery and the formation of that opinion, he had had some communication from an Organisation representing the trade. As to the psychological effect of that upon his mind I will not too curiously inquire. I acknowledge the courteous tones in which the hon. Member for Derby has spoken, but do not accept the points he made. He added to the surplus the tax which is to be added to beer and spirits, bringing it up to £4,750,000, but the surplus is usually calculated before taxes are imposed or taken off. Following the lead of one of our friends, the hon. Member for Poplar laid down some of the first principles of finance without having studied the details on which they are founded; he added to my surplus the tax which is being imposed upon spirits

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and beer, and he treated my surplus as something like £4,750,000. I thought that, according to financial practice, a surplus was taken at the time when you have settled your expenditure for the year, and estimated your surplus for the year, and before you began to impose fresh taxes or to take any off. But to treat a surplus of which I had disposed by adding a tax which is to be put on for a particular period seemed to me to be an unusual method of argument. The hon. Member objected to the principle of assigning any of this Imperial Revenue to local purposes, and said, not without some force, that we might be hampered as regards Imperial finance if we deprived ourselves of freedom of action by giving Local Authorities a share of these taxes. I think this system is an improvement upon the old one of making subventions, which depended to a great extent upon the extravagance of the Local Authorities, for the more they spent the more they gained from the State. To that we have put an end, and now certain revenues are assigned to them if they act with prudence, moderation, and economy. If they squander them it will be their loss, but it will not be the loss of the State, as it used to be. It is said that we should find local revenues; but is it possible to find local revenues which would not cause the greatest sense of inequality? These local revenues would have to take the place of the amounts which used to be received by the Local Authorities. The result of any local levy would be that the poorest counties would come off very badly, and an intolerable sense of grievance would arise. In the Highlands of Scotland or the West of Ireland the amounts raised would not be at all proportionate to the amounts that had been contributed by the nation at large. The poorer counties would not be helped much by the Horse Tax or by the Van and Wheel Tax. That which is the dream of taxation reformers—a Local Income Tax—would be most detrimental to the poorer districts where the rich do not reside. With all the imperfections of the present system, I do not see that the mode of giving local assistance by hypothecating certain Imperial Revenues can be improved by any system of Local Taxation. If any one can discover an excellent Local Tax which will be equitable and acceptable he will render a ser-

vice, but I have not heard of such a tax being suggested. There is really no difference between the right hon. Member for Derby (Sir William Harcourt) and myself on the point of diminishing the number of sources of revenue. In the past there was reason to abolish an enormous number of small taxes; but we have arrived at a point where our taxation rests upon a few articles as I think it is right it should rest upon. I am not prepared to diminish the number of these articles any further, and for that reason, although I admit much is to be said in favour of the abolition of the House Tax, it is a tax which in emergency might be utilised, and which, I believe, we would be almost sorry to part with. Acting upon that principle, I am reluctant to give up any source of future taxation. It had passed through my mind whether the House Tax should be abolished; but I came to the conclusion that it would not be wise to part with it. If I had abolished it, I am certain it would be said that the benefit of the remission would go into the pockets of the landlords, as it has been argued erroneously that the contribution to the rates had benefited the landlords. It was said I had deprived the Sinking Fund of £3,000,000 that properly belonged to it; but that statement does scant justice to the policy I have pursued, for of the £3,000,000, £1,000,000 represents the reduction on the charge for the Debt through the operation of conversion. That was £1,000,000 which was never anticipated, and to say that I have robbed the Sinking Fund of it is to push rhetoric beyond its proper limits. Having been able to reduce the Debt by £23,000,000, that reduction saves a charge of  $2\frac{1}{2}$  per cent. upon that £23,000,000, by which we have saved a further sum of £500,000, which will be applied to the Sinking Fund instead of to the interest on the Debt. When the right hon. Member for Bradford (Mr. Shaw Lefevre) speaks of our joining the professional alarmists, and refers to the better finance which prevailed when I presided at the Admiralty in 1873, and had the advantage of his advice and assistance, I must remind him that great changes have occurred since then; that every gun costs infinitely more now than it did then; that every ship costs infinitely more on account of its machinery;

that all the Powers have made further progress in their armaments; that torpedoes are more necessary and have developed enormously; and that everything costs, I will not say double, but much more than it did when we were at the Admiralty together. I think it is right that the country should know the circumstances when this comparison is drawn. I think I have now dealt with most of the topics which have been introduced, except the very important topic of the contributions of Scotland and Ireland, and the effect which this Bill will have upon Scotch and Irish finances. The hon. Member who spoke last discussed not only the finances of the Bill, not only the tax which has been imposed, but also the objects to which the new tax was to be devoted. In discussing the objects of the Bill, or rather the purposes to which the new tax should be devoted, the hon. Member (Mr. Dillon) was extremely indignant that, among other things, it should be devoted to the superannuation of the English police. But I think the hon. Member forgot that the whole superannuation of the Irish police is paid out of Imperial funds. It is not a question of contribution, or that Ireland should pay less, but that while some small contribution is made towards English and Scotch police the whole of the Irish superannuation is borne by the State.

MR. DILLON: You are welcome to take all that money.

\*MR. GOSCHEN: I think the hon. Member is mistaken, and that such an act would add another to the list of Irish grievances. Those Irish police are Irishmen, belonging to Irish families, coming from all parts of Ireland, and a breach of faith with regard to their superannuation would be considered an outrage in many parts of Ireland and in many circles in which hon. Members opposite themselves move. There are many charges which are brought against the English Government; but the charge of paying Irishmen too much, even when they do not belong to the Party of hon. Members opposite, is not often brought against the Imperial Government.

MR. DILLON: It is a charge which is constantly made in the case of Judges and of police.

\*MR. GOSCHEN: Yes; when they think of abolishing a Judgeship it is said the Judges are paid too much. If the



hon. Member speaks for the whole of his Party on some subjects, there are some on which I think he cannot speak with so much authority. Again, to my surprise, the hon. Member objected to the method in which we are dealing with the position of the National teachers in Ireland. I thought that if there was one object which commended itself to hon. Members opposite it would be that the position of the National teachers in Ireland should be improved. The hon. Member for Cork (Mr. Parnell), in fact, stated on one occasion that so long as we continued to govern Ireland we must improve the position of the National teachers. I thought that was a matter of very great importance, and I took special note of it at the time, as showing that there was not that indifference to English financial aid on the part of the hon. Member for Cork that there was to the general connection between the two countries. But be that as it may, we thought that if there was one manner in which all Ireland would like this money to be spent it would be in the direction of assisting the National teachers. When the hon. Member says that the money is not distributed through the proper authority, that is a matter of detail; but, in fact, it is distributed on principles very analogous to those on which it is distributed in Scotland. In Scotland it is distributed mainly under schemes proposed by the Secretary of State for Scotland. That, however, as I say, is comparatively a detail, and we shall be glad if by the operation of our Bill we should improve the position of the National teachers in Ireland. Now, I will deal as shortly as I can with the point raised by the hon. Member for West Belfast (Mr. Sexton) and the hon. Member for East Mayo (Mr. Dillon) and by some Scotch Members with regard to the injustice of putting this tax upon whisky. Let me point out that a writer in the *Economist* puts the case against us in this way, that England gets £125,000 too much, Scotland £77,000 too little, and Ireland £52,000 too little. That is the case which is put against us by a writer who is endeavouring to show that we are wrong in this matter, and I take this as showing what is considered to be the extreme limit of our wickedness in this matter.

MR. STOREY (Sunderland): That was only the duty on home spirits.

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\*MR. GOSCHEN: Yes; but if you take foreign spirits and beer you diminish the force of these figures. Foreign spirits are not consumed in the same proportion in Scotland and Ireland as they are in England. They are too patriotic to consume any large portion of foreign spirits, and they have too much good taste. I have examined into the matter, and while, no doubt, as regards British spirits, Ireland and Scotland consume much more than England, on the other hand England consumes more foreign spirits and more beer, and the consequence is that those figures are less favourable to Scotland and Ireland when balanced, as they ought to be, by the increased consumption of beer in England and the increased consumption of foreign spirits. You must take the whole sum together in its three component parts. England consumes more beer and foreign spirits; Ireland and Scotland consume more British spirits; and in this way these figures are modified. Many hon. Members argued as if the whole of the case depended only on British and home spirits, but the case is very much modified if you take them together. Now, I come to the point on which the hon. Member for East Mayo and other hon. Members have spoken, namely, the imposition of a tax according to pure alcohol. I do not think that is the correct way, nor has it been considered by previous Chancellors of the Exchequer or Governments that a tax should be levied on whisky, wine, and beer simply according to pure alcohol. I remind the House also that the tax on wine was increased by 10 per cent. two years ago. It is a heavier increase, looking at the total yield of that tax, than is imposed either on spirits or beer. Are we bound to accept the calculation that you should judge simply by pure alcohol? That has never been admitted as a proper test. Alcohol represents a simple intoxicant; whisky and brandy represent pure intoxicants. But in beer there is a nutritious substance. [An hon. MEMBER: "Oh, oh"! ] I think that if the hon. Member will apply the test he will find that he will get fat on beer. I believe that people have been sustained by beer, and that the beer of the working man is nutritious and strengthening. But, as regards whisky, I am bound to say that I have not heard the same attribute ascribed to it. Our friends from Scotland

may have a different tale to tell. [*Cries of "No, no!"*] I am glad to hear they have not; but there is distinctly, joking apart, certainly more nutritious power in beer, and it is a different substance altogether from whisky, brandy, and gin. At all events, hon. Members even from Ireland will not think of asking us to re-cast the whole of our fiscal system because whisky is drunk so largely in Ireland. I will not enter into the comparison of the amount of liquor consumed in the three countries, nor on the other point that, supposing any country drinks harder than the others, we are therefore to refrain from placing a tax upon that article of consumption, though it may be consumed in very large quantities in the other parts of the United Kingdom. According to the doctrines laid down by hon. Members, the more the Scotch and the Irish drink whisky the more we ought to go on reducing the duty on whisky.

MR. DILLON: We want you to increase the duty on beer.

\*MR. GOSCHEN: I see no flaw in my argument. What is laid down is this, that if you tax whisky you are taxing Ireland and Scotland too much. Suppose they drink more and the aggregate revenue from whisky becomes larger.

MR. SEXTON: In England the consumption of alcohol amounts to 6½ gallons per head; in Scotland, 4½ gallons; and in Ireland, 3 gallons.

\*MR. GOSCHEN: I admit that in Scotland and Ireland the consumption of pure alcohol beats the English consumption hollow. [*Mr. DILLON: We do not put water in it.*] Supposing that we measure the contribution which Scotland and Ireland ought to pay to the Imperial Revenue by the amount of whisky which they consume? If we take their share towards the Imperial Revenue, and proceed on the assumption that they consume one-third more, Ireland will be shown to be contributing more to the Imperial Revenue; and then hon. Members will have an argument to this effect: "Now Ireland is contributing so much more to the Revenue, you ought to make Ireland a present in respect of that additional sum contributed to the Revenue." That is an argument to which I demur. I do not accept the principle of paying simply according to the intoxicant. In the next place, I do not accept the principle that because certain parts of the country take in an

increasing measure to the consumption of any particular articles which is taxed, this state of things should be immediately remedied by some measure of taxation which will give relief to that particular country. I do not know in what confusion we should thus be landed. I now come to the proportion which hon. Members say will be paid by Scotland and Ireland as compared with England through the increase in the Spirit Duty. I thought that my hon. Friend the Secretary to the Treasury had made our case clear. What hon. Members now wish to say is that this increase in the Spirit Duty should be distributed according to the country which yields it? [*Hon. MEMBERS: "Hear, hear!"*] Yes; hon. Members accept that. Will they equally accept that the Probate Duty passed over to the Local Authorities should be distributed according to the country which yields it?

MR. DILLON: We do not accept it because Ireland is paying double her share of taxation.

\*MR. GOSCHEN: That is a perfectly intelligible argument, and one which deserves respect. But this particular argument has been raised: that in the contributions made by the State to the Local Authorities Scotland and Ireland are damnified, because this Spirit Duty is not distributed according to the proportions in which the various parts of the Kingdom use it. If they wish the contributions, amounting to £3,700,000, which will be made in the present financial year to Scotland, England, and Ireland through half of the Probate Duty and the increased Spirit and Beer Duty, to be distributed according to the country which yields it, I will defer to their wishes and distribute the Probate Duty and the Spirit Duty accordingly. But I do not think they would like it, because they would lose more on the Probate Duty than they would gain on the consumption of home spirits. Is it not fair and just, apart from the question raised by the hon. Member for East Mayo as to whether the original contribution is right, that if we give contributions from the Imperial Exchequer to local taxation we ought either to accept one principle or the other—either accept the principle of general contribution calculated according to the amount given to the Revenue, or else calculated according as those special duties are

yielded by the particular countries? I can only say the way I have selected of putting them all together and dividing them again is more fair than the other principle of giving the duties just as they are yielded. Hon. Members from Ireland will scarcely contend that we ought to treat the Spirit Duty in the way they desire, and at the same time hand over the Probate Duty as at present. I hope I have shown there is a principle in the course I have taken, though hon. Members may not agree with it. Of the whole contribution we have made from Imperial sources to local revenue, England has contributed in round figures 82·6 per cent., and receives back 80 per cent.; Scotland pays 10·5 per cent., and receives back 11 per cent.; and Ireland pays 6·9 per cent., and receives back 9 per cent. In the result these transfers to local taxation are therefore in themselves favourable to Scotland and Ireland. I think I ought to add that since the time when I made that proposal the Probate Duty has been creeping up, and therefore the alliance between the poorer and the richer countries is redounding to the advantage of the poorer countries in an increased proportion. I am sorry that hon. Members should think that I have purposely or negligently, and negligently would be almost as bad as purposely in a matter of this kind, done injustice to Ireland. It has been said that Ireland does not benefit by the reduction in the House Duty. No, but nothing was imposed on Ireland when the Estate Duty was imposed last year, because of that duty which yields £1,000,000, Ireland only pays 2 per cent. According to the contention of the hon. Member for East Mayo, Ireland and Scotland, as compared with England, pay very little of the Beer Duty. Again, when the Income Tax has been increased, England has been much harder hit than Scotland and Ireland. I can only say I have intended to be just in this matter. We may not have reached entire accuracy, but it is not the system of bookkeeping which raises any difficulty, it is rather that the statistical resources are not at hand to enable us to fix how much is credited to one country and the other. I have, however, ascertained that there is a considerable amount of beer exported from Ireland to England on which Ireland gets the benefit of the whole of the duty. I shall, if possible,

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lay further figures on the Table of the House, and show how we arrive at our results. If Ireland thinks she contributes more than her share, does not she receive more than her share back again? [*Cries of "No!"*] Take education. There the payments made by the Imperial Exchequer are, I believe, larger than her share. Take the contributions we are making to light railways in Ireland. [An hon. MEMBER: "We do not want them."] The cost of one light railway is more than the difference as regards Ireland.

MR. T. M. HEALY: Jobs given to your own friends.

\*MR. SPEAKER: Order, order!

\*MR. GOSCHEN: I am sorry my remarks have caused so controversial a tone to be taken—a tone I am quite prepared to adopt when it is necessary, but which I had hoped might have been excluded from the present discussion. I think that certainly in what we have done in the way of public works in Ireland we have not been chary of British money, and indeed hon. Gentlemen above the Gangway opposite have found fault with us for being too liberal. I hope that as we proceed we shall be able to satisfy the House generally that in what we have done we have been animated by every consideration of justice.

\*[11.30.] MR. H. H. FOWLER (Wolverhampton, E.): I do not propose to intervene in the very thorny controversy upon the proportion of Imperial taxation paid by Scotland and Ireland as contrasted with England. I know it is a difficult question upon which high authorities entertain very different opinions; but I would point out to the Chancellor that in estimating the amount of Probate Duty paid in Ireland it is impossible to exclude the amount of the duty assessed on Irish property that is paid in England. A large proportion of the wealth of Ireland is brought to England; it is invested in England, and the Probate Duty, when the owners die, though levied in England, practically belongs to Ireland. Then in regard to the tax upon alcoholic liquor consumed in the three countries, it is rather hard to say to two of them that because they consume stronger liquor, as far as alcohol is concerned, they are to pay more than the country that consumes less alcohol, namely, the country that consumes most beer.

But the main point I wish to call attention to is the new tax. The whole Budget, so far as last year is concerned, and so far as the reduction of taxation is concerned, has been fully discussed to-night, and I will not go over the ground again; but I will say a word or two on the new tax. The Chancellor of the Exchequer hardly seems to see the force of his own argument with reference to the proportion of taxation to the three countries by whom it is paid. This is a new tax altogether; it is a tax expressly levied for local purposes. The Chancellor of the Exchequer does not admit it is an Imperial tax at all; he says it is to be for local purposes; and if it is to be levied for local purposes, surely it is not an unjust demand that Scotland and Ireland shall have what they contribute to local taxation returned in the shape of relief to local taxation. We cannot admit the opinion of a Liberal nobleman, however distinguished, who happens to be Chairman of a County Council and who has expressed an opinion that County Councils have not had a sufficient subsidy to influence our opinion in this matter. The Chancellor of the Exchequer told us he had handed over £2,750,000 of Imperial taxation to Local Authorities, and he also told us that an increase in the Probate Duties had already wiped out any possible deficit that might have arisen in consequence of the withdrawal of the Wheel and Van Tax. That he did not proceed with the Horse Tax is a question between himself and the Local Authorities; but he told the Local Authorities at the time, through their supporters in this House, that the controversy with regard to aid to local taxation was closed and that he had done his utmost, but he is now going to impose new taxes producing £1,250,000 in order to grant a subvention to local purposes. The subvention has all the vices and none of the virtues of the old principle; it mixes up Imperial and local taxation, fetters the action of Parliament with respect to the Revenue—and it confines unnecessarily local action in more than one direction. The right hon. Gentleman proposes to interfere with Local Authorities in reference to the superannuation of the police. A great many boroughs and counties have established for years a perfectly solvent Police Superannuation Fund. Such is the case with the county in which I live and the

borough I represent. The attention of the right hon. Gentleman was directed to this on the Budget night, and he replied that these counties and boroughs would not be placed at a disadvantage. But there is not a word of this in the Bill.

\*MR. GOSCHEN: Wait and see the Local Taxation Bill.

\*MR. H. H. FOWLER: From the principle of distribution adopted before I know that the boroughs will be placed at a disadvantage, and a great part of the fund levied in large towns will be handed over to the Exchequer of the counties. If you want to create a Police Superannuation Fund why not proceed to do it as other Governments have tried to do it? We have tried to do it, and you have tried it. We brought in a Bill, and the House did not reject it; but owing to the Parliamentary obstruction which prevailed in the years 1880 and 1885 we were prevented from carrying the Bill through, and the House never gave a positive decision. Let such a proposal stand or fall upon its merits. True, superannuation ought to be deferred pay, and we make provision for a deduction of 2½ per cent. from the pay. Why step in with a subsidy? But not only does the right hon. Gentleman interfere with the police; there is also the great question into which I will not enter now, though the Government will hear much of it within the next few weeks—the expenditure of the tax for compensation to licence holders. This is the real *crux* of the position—the centre of the new tax. Then we have a very small sum left for general county purposes. The time now is not favourable to going into details; but this I will say, that I shall join with many hon. Members in offering the strongest opposition to this proposal whenever we can contest it in Bills for Imperial or local purposes. And now a word or two on the position of the National Debt. The Chancellor of the Exchequer has had a little duel across the Table with my right hon. Friend in reference to the amount he has applied to the reduction of the Debt, and I am not going to discuss the point whether the right hon. Gentleman has or has not accomplished a very great reduction of Debt during his term of office. I think he has paid off a very large amount of National Debt, and I think we are

indebted very much to the automatic principle of reduction introduced by my right hon. Friend the Member for South Edinburgh (Mr. Childers). But I would point out, notwithstanding what has been said on this point, how little we are really doing towards the payment of the Debt. I will trouble the House with a few figures on this matter, and will take periods of 10 years in Her Majesty's reign which will cover 50 years. In 1839 the annual expenditure charged on the Consolidated Fund on account of interest and Sinking Fund was £29,300,000. In 1849 it was £28,700,000; in 1859, £28,500,000; in 1869, £26,500,000; in 1879, £27,400,000; and in 1889, the wealthiest of all those years, £25,800,000. We were therefore paying £3,500,000 less than we paid 50 years ago. Consider also the fact that when Sir Robert Peel imposed a penny on the Income Tax it yielded £800,000, and now it produces £2,000,000. Considering these figures, we have no right to congratulate ourselves in the matter of the National Debt. We are now in a time of prosperity and peace, but I am sorry to say we are indulging in extravagant expenditure on the Naval and Military Services. I will not argue the point, but I think the House and the country should bear these figures in mind. If the House is satisfied that we can safely, with regard to future contingencies, depart from the policy of reducing the Debt, the Government may be right, only let it be understood that it is a reversal of the policy upheld by some of our greatest financiers, a policy rigidly adhered to during a long succession of years. I am not satisfied with the Budget so far as the expenditure is concerned, but I should be out of order in discussing the expenditure in Committee of Ways and Means. I regret that the House devotes such a large portion of its time in considering what taxes should be added or remitted. If the House would bring its unprofessional view to bear on our enormous annual expenditure, I think we might solve a great many problems that perplex us now with much greater facility. The amount of our Naval and Military Expenditure for the coming year will be £33,250,000, exclusive of the £20,000,000 paid in respect of India. That is a larger sum than any other country devoted to Military and Naval pur-

*Mr. H. H. Fowler*

poses. If the House would forego Party strife upon minor matters and spend the time that would be saved in examining into the National Expenditure we should, I feel confident, find means of reducing it. Without including the cost of wars, it will be found that in the last 10 years the expenditure on the Military and Naval Services has increased by £8,000,000. Conservative and Liberal Governments share the blame for this. It is not a necessary expenditure, and I believe the time is coming—and I hope soon—when the country will insist on a very large reduction.

(11.45.) **Mr. T. M. HEALY:** The Chancellor of the Exchequer has thrown out a challenge, but will he be good enough to remember that we have been denied every species of intelligence in the shape of Returns upon which we might inform our minds, and that, since the famous Budget of the right hon. Gentleman the Member for Mid Lothian in 1852, you have increased taxation in Ireland by £250,000,000, or more than victorious Germany wrung from France in her time of misery and despair? Your Union Treaty with us in regard to taxation has been broken, as all your Treaties with Ireland have been, and out of the juggle of figures we cannot make this clear. I do not pretend to be competent to discuss a great financial subject, but I ask the right hon. Gentleman to explain why he made choice of the Probate Duty for division? Why did he not divide the Spirit Duty? Let the Chancellor of the Exchequer agree to the appointment of a Select Committee, so that we may ascertain what is the incidence of taxation in Ireland at the present moment, what the Irish pay exactly, and what they receive in return, and what was the original bargain made with Ireland at the time of the Union. The right hon. Gentleman must have been bankrupt in argument when he treated us to the suggestion that there is something nutritious in beer as a ground for robbing Ireland. He first suggested that the Irishman was a more drunken animal than the Englishman. ["No, no!"] He did not say so, he had not the courage, but he hinted that those "sections of the country where people drink hardest should not therefore be more lightly taxed," but the contrary is the case, because the Englishman

drinks twice as much alcohol as the Irishman, the latter drinking three gallons, and the former six and three-quarters. The reason given by the right hon. Gentleman for not taxing beer as heavily as whisky is that beer is more nutritious. Would the right hon. Gentleman reduce the duty on whisky if the consumers should be willing to mix with it a little of Liebig's extract? I have no doubt that thus I could produce a fattening compound. It is a fallacy to say that beer is any good to anybody. You tell us that beer fattens, so does whisky if you take too much of it; it arrests certain functions of the body, and sets up fat. But why in the world, because it fattens, should the Englishman have the advantage? I think I am not far wrong when I say this is a bankrupt argument. I prophecy that one result of putting the increased duty on whisky will be that the distillers will put out newer whisky, which will stand more water than old spirit. Therefore, I hope that the right hon. Gentleman will introduce into his Bill the principle that whisky should lie in bond for at least 12 months. You need not poison us as well as over-tax us. This principle was contended for year after year from these Benches, by Mr. W. H. O'Sullivan, now gone, poor fellow, as someone said, to the "spirits in bond." Year after year he tried to induce successive Chancellors of the Exchequer to accept his "Spirits in Bond" Bill. The right hon. Gentleman takes credit to himself for the assistance proposed to National Teachers, but we object that it is handed over to the Irish Secretary and, indirectly, will reach the Irish landlords. I think we have cause to complain of our treatment in being left out of the advantage derived from the remission of House Duty, and as to the Tea Duty I am strongly inclined to agree with the pithy note of the right hon. Gentleman's anonymous correspondent. If there had been a graduated tax imposed there would have been some justice, but the tea at 3d. pays the same rate as the rich man's tea at 3s. I do not wish to say more now, except that it is a remarkable thing that the entire Tory Party, which turned out their opponents on the Whisky Tax in 1885, should now be proposing to raise the tax. It is one among the string of broken pledges. They opposed the buy-

ing out of the landlords, and they now propose a plan for the purpose. They promised us Local Government, but now we are not to have the local power to suspend licences because there is no machinery for the purpose. I trust we shall have more time in Committee to consider the various points in which we are interested.

(11.55.) MR. P. McDONALD (Sligo, N.): I beg to move the adjournment of the Debate.

\*(11.55.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I hope the hon. Gentleman will not persist in his Motion for the adjournment. The Government cannot possibly accede to it, and it was distinctly understood that the Debate should be concluded to-night.

(11.55.) MR. M. J. KENNY: When is it proposed to take the Committee stage?

\*MR. W. H. SMITH: To-morrow.

MR. M. J. KENNY: But there will be no time to put down Amendments.

\*MR. W. H. SMITH: It was distinctly understood that should be the arrangement.

\*(11.56.) MR. CHILDERS (Edinburgh, S.): Before we go further, there are two questions I should like to put to the Chancellor of the Exchequer. During his speech he quoted certain figures from the *Economist*, unfavourable to the Government. He said—

"A writer in the *Economist* puts the case against us in this way, that England gets £125,000 too much, Scotland £77,000 too little, and Ireland £52,000 too little."

Then the right hon. Gentleman went on to say that this calculation left out of view the amount paid in this country upon foreign spirits and beer. I would ask the right hon. Gentleman if he can give us the figures which he said should modify this calculation. Further, I would refer to the question raised by my right hon. Friend (Mr. Shaw Lefevre), the amount of the debt paid off, and the amount raised by loan in the year. My right hon. Friend said that practically the amount to be paid through the Sinking Fund was not much greater than the amount which would have to be borrowed under the Naval Defence and other Acts, about £5,000,000 on each side of the account. Will the right hon. Gentleman give us the exact figures in either case, and explain the net amount of debt

which will actually be paid off in the current year?

\*(12.0.) MR. GOSCHEN: I doubt very much if the sum is as stated by the right hon. Gentleman. No one knows better than the right hon. Gentleman that these Estimates can never be made with any degree of certainty. I hope presently to be able to pay off more debt. I have not with me the percentages which the right hon. Gentleman suggests, but I hope to-morrow to be able to get the correct figures.

(12.3.) DR. TANNER (Cork Co., Mid.): I wish to draw attention to one point, and that is the proposed increase in the tax on anæsthetics. If the right hon. Gentleman is satisfied that these anæsthetics are used for the benefit of suffering fellow creatures, I am sure he will be one of the first to try and assist by every means in his power to alleviate suffering. Well, if he will only look into this matter he will find that he is imposing an additional tax on chloroform and ether, which are so largely used to prevent persons from suffering pain when undergoing operations. I hope, therefore, that in the interests of suffering humanity, he will give his attention to this question, and exclude those articles from the additional taxation.

(12.5.) MR. P. M'DONALD: The Chancellor of the Exchequer stated that hon. Gentlemen near me would have an opportunity of replying, and several of my hon. Friends, relying on that promise, declined to speak. I hope the First Lord of the Treasury will give us the opportunity which the Chancellor of the Exchequer promised, seeing that so much interest is felt on this question in Ireland.

\*MR. W. H. SMITH: I wish to remind hon. Gentlemen that on the clauses of the Bill there will be abundant opportunity for discussion, and I must, therefore, resist the appeal.

MR. M. J. KENNY rose to address the House.

\*MR. SPEAKER: Order, order! The hon. Member has spoken.

MR. M. J. KENNY: I only asked a question.

\*MR. SPEAKER called on Mr. FLYNN.

MR. M. J. KENNY: I wish to speak to a point of Order.

\*MR. SPEAKER: Order, order.

(12.9.) MR. FLYNN: I desire to add my appeal to that of my Colleagues who

*Mr. Childers*

have spoken, that the Irish Members should be given an opportunity for discussing this important matter. We have been in attendance all the evening, and I am sure it was impossible in the short time at our disposal to compress all that ought to have been advanced in support of our objection. I hope the leader of the House will accede to our very reasonable request.

(12.10.) MR. P. M'DONALD: I beg to remind you, Mr. Speaker, that I have moved the adjournment of the Debate.

\*MR. SPEAKER: Order, order!

MR. P. M'DONALD: With all due respect to you, Sir, I did move the adjournment.

\*MR. SPEAKER: That Question has not yet been put.

\*(12.12.) MR. WILLIAM HENRY SMITH rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

(12.20.) The House divided:—Ayes 201; Noes 114.—(Div. List, No. 70.)

Question put accordingly, "That the Bill be now read a second time."

(12.30.) The House divided:—Ayes 197; Noes 115.—(Div. List, No. 71.)

Bill read a second time.

\*MR. W. H. SMITH: I beg to move that the Bill be committed this day at 2 o'clock.

Motion made, and Question proposed, "That this House will to-morrow resolve itself into the said Committee."—(*Mr. W. H. Smith.*)

(12.40.) MR. J. MORLEY (Newcastle): I protest against the Motion, and I deny that any engagement has been made that the Committee stage should be taken this day. The First Lord of the Treasury said that if the Debate on the Second Reading came to an end this evening he hoped to take the Committee on Tuesday. It is true that it has come to a conclusion, but it has come to a conclusion under circumstances altogether unprecedented. It is not right that the financial arrangements of the country for a year should be terminated against the wishes of a large number of Gentlemen in the House after one evening's Debate.

The Chancellor of the Exchequer made a speech, of the length of which I must not at all be understood as complaining, but he did not conclude until 25 minutes to 12 o'clock. His speech raised many questions on which hon. Gentlemen below the Gangway and from Scotland desired to speak. I must be allowed to remind the House further that there is a rule that money Debates may be taken after 12 o'clock; yet, at a few minutes after 12 o'clock the discussion by the application of the Closure is made to come to an end. Under the circumstances I must emphatically protest against the Committee stage being taken to-morrow.

\*(12.43.) MR. W. H. SMITH: The right hon Gentleman has spoken warmly, though he is usually exceedingly courteous in the representations he makes to the House. I wish to remind the House of the circumstances under which we are acting. When I was asked last week what course the Government would take, I distinctly stated that the Budget Bill would be taken *de die in diem*, and no objection was made. I was asked again the same evening when the Committee would be taken, and I replied on Tuesday if the Debate ceased. My right hon. Friend the Chancellor of the Exchequer waited until the hon. Member for East Mayo and the hon. Member for Belfast had spoken, and then rose, at a quarter past ten o'clock, to answer the various objections made in the course of the Debate. The Secretary to the Treasury and the Chancellor of the Exchequer having spoken, it is only reasonable to assume that the Debate was virtually closed. When a Minister rises to reply to the speeches that have been made, a Debate is usually closed, and in this case it is not possible either for the Chancellor of the Exchequer or the Secretary to the Treasury to speak again. In the course I have taken I am only acting in accordance with a distinct understanding, and I should be wanting in my duty to the House if I refrained from acting on the engagement of which I have given notice.

(12.45.) MR. ILLINGWORTH (Bradford, W.): Sir, I am bound to say I think the right hon. Gentleman the Member for Newcastle was right in the protest which he made. I confess I was amazed that the Chancellor of the Exchequer rose so early, a good many

Members not having returned from dinner. [*Laughter.*] Hon. Gentlemen on that side of the House leave the case in the hands of the Chancellor of the Exchequer. On this side of the House it is expected from us that we should speak on behalf of the people we represent. The Chancellor of the Exchequer in his reply certainly dealt with small points, but he did not give us any light or leading on the main points. The leader of the House can scarcely say that he is acting within the spirit of the undertaking that the Bill would be proceeded with *de die in diem* when he takes the first opportunity of stifling Debate. He could have afforded the melancholy satisfaction to those who wished to speak of doing so after 12 o'clock. At this moment the leader of the House will see that there is no opportunity of putting down Amendments, and we are really getting into such a slipshod way of doing business that I personally protest against such a proceeding by a Government which calls itself Constitutional and Conservative.

(12.47.) MR. T. M. HEALY: In this part of the House we are extremely indebted to the right hon. Gentleman the Member for Newcastle for vindicating such poor liberties as are allowed to remain to us. Supposing this had been a Liberal Budget for the taxation of ground rents, and the Debate had been closed on the first night, would the Tory Party consider themselves well treated? Here you are taxing the one commodity our country produces. [*Laughter.*] It does not seem to be entirely eschewed by Gentlemen who laugh. Only two Irish Members, being the Members for West Belfast and East Mayo, have spoken, and then the Closure is applied. Now, Mr. Speaker, I am not going to complain of your ruling. The hon. Member for Tyrone only asked, "When will the Committee be taken?" and for that, Sir, you ruled he had spoken. No answer whatever was given by the Government to that question, and we on this side of the House, whether intentionally or not, were deceived by the statement of the First Lord of the Treasury when he said that hon. Members would have ample opportunity of discussing this matter to-morrow. I sat down before 12 o'clock, forgetting for the moment that it was a money Bill,



and under the idea that the Government intended to proceed to-morrow. I am surprised at the silence of hon. Members for Ireland opposite. When this question was raised we know the influence which the issue of a circular by Dunville's, of Belfast, protesting against the imposition of a tax upon whisky, had upon their opinions. Why are they to be silent because a Tory Government makes this proposal? We have got no answer from the Chancellor of the Exchequer to the reasonable proposal that we should have a Select Committee to inquire into questions of finance. There has been no attempt to answer our objections but by the Closure. The only argument of the right hon. Gentleman is that of the Closure, and it is a weapon which he wields more effectually than any other in his armament. He now asks that the Committee on this Bill shall be taken at 2 o'clock to-morrow. What opportunity will that give us of putting down Amendments as to important questions embodied in the Bill? I remember that the hon. and gallant Member for North Armagh (Colonel Saunderson) made on one occasion the remark that England never wiped the tears out of Ireland's eyes, but she made her pay for the pocket handkerchief. I think that on this occasion the statement of the hon. and gallant Gentleman has been most thoroughly borne out by the proposals before us, and we demand time for their discussion. We do not assent to the imposition of this Whisky Duty, not merely because it is placed on Irish whisky, but because you propose to make us pay 18s. for an article for which you only pay 11s. We are entitled to know from the Government whether they will assent to the appointment of a Select Committee to inquire into the proportionate relations of these taxes as they affect the three kingdoms, and we will not assent to going on with the Bill until some such information is before us. On no previous occasion has a Debate on a Bill of this kind ever been closed at a quarter past 12. You who sit on the Ministerial side will find yourselves on these Benches before very long, and then you—that is those who are not left outside—may find occasion to regret the step you have taken.

(12.50.) MR. DILLON: I must confess to feeling the utmost astonishment at the

*Mr. T. M. Healy*

manner in which this Debate has been brought to a close. I would remind the House that in 1885 a discussion arose upon a tax of a precisely similar character without any attempt being made to stop the opposition then offered. The result was that the attempt then made to impose that taxation was the cause of the overthrow of Her Majesty's Government. The First Lord of the Treasury, in defending his action in applying the Closure to-night, stated that the Secretary to the Treasury and the Chancellor of the Exchequer had replied to all the objections made to the Budget proposals, but he did not refer to the fact that the Chancellor of the Exchequer deliberately abstained from answering the questions I put to him, and the main objections I offered to the Whisky Tax. I could not go into those objections without transgressing the Rules of Order, but they will be borne in mind by hon. Members who heard them. The right hon. Gentleman the Chancellor of the Exchequer attempted to reply to some of the minor points then urged, but to the main objection I offered to the Whisky Tax he made no reply whatever. Are we to be told that because it suited the convenience of the Chancellor of the Exchequer to rise at half-past 10 to speak at great length the Irish Members are to have no opportunity of taking their legitimate share in the Debate? The fact is that the persons mainly aggrieved by those proposals are the Representatives of the Irish and Scotch people. The main criticisms of the Bill come from those Members, and I maintain that no fair opportunity has been given to support their objection. We contend that the Bill does a cruel injustice to our country, but as soon as the Chancellor of the Exchequer has made his speech, the First Lord of the Treasury thinks it is time to close the Debate, and he therefore prevents our taking further part in it. It is unfair that the Members of the Government should select, as they always do, their own time to speak, and that private Members should have no chance. During the whole time the First Lord of the Treasury has been the leader of this House no case of improper Closure more extraordinary than the present has ever occurred, and I think the time will come when hon. Members opposite will regret the course they have taken. Under

these circumstances I protest strongly against the Committee stage of this Bill being put down for to-day, and would advise my hon. Friend to divide against the proposal.

(12.53.) MR. M. J. KENNY: In consequence of the manner in which this Debate has been stopped, I beg to move to omit the word "Tuesday," and to insert the word "Thursday."

Amendment proposed, to leave out the words "this day, at Two of the clock," and insert the words "upon Thursday,"—(Mr. Matthew Kenny,)—instead thereof.

Question proposed, "That the words 'this day, at Two of the clock,' stand part of the Question."

(12.54.) MR. SEXTON: In reference to the Motion of my hon. Friend, I would remind the Chancellor of the Exchequer that he practically admitted in the course of his speech that the Irish Members have grievous cause of complaint whether in regard to the method of imposing the tax or the mode of distributing it. He has admitted that he has not sufficient information to enable him to furnish the particulars for which we have asked as to the relative taxation of the three kingdoms. I now ask the right hon. Gentleman the Chancellor of the Exchequer whether, under all the circumstances, the debate having, as the First Lord of the Treasury says, ceased through being brought to a violent end by superior force and the application of the Closure, he proposes to force us into Committee this day (Tuesday), or whether he will first bring down to the House and lay before us all the information for which we have asked? In that case we might proceed with the Bill at two o'clock; but if not, we shall not consent to proceed, and will do all we can to sustain the objection made with so much force and spirit by the right hon. Gentleman the Member for Newcastle (Mr. Morley), namely, that the pressing forward of this measure, under such circumstances, will not tend to facilitate the progress of business in this House.

\*MR. GOSCHEN: I cannot undertake to supply all the details connected with the information asked for, but I will undertake to put before the House such

information on the subject as we are able to furnish.

\*(12.56.) MR. H. H. FOWLER: I put it to Her Majesty's Government—Do they think they are saving time by attempting to force this Bill upon the House under these circumstances? I assure them there is a very strong feeling on this side of the House as to the unfair manner in which Her Majesty's Government have acted in closing, for the first time, a Debate on the financial measures of the year, and saying to the House that, notwithstanding its right to vote or criticise the taxation imposed on the country, this measure shall not be discussed. They do not seem to reflect that we on this side of the House shall not forget their action when the matter is again before us, nor do they seem to realise that, under the circumstances, there is little probability of their making that progress with the Bill in Committee that would otherwise be made if the arrangement had the general consent of the House. The right hon. Gentleman the leader of the House seems to think that when he has made a statement as to the decision arrived at by Her Majesty's Government with regard to any course they propose to take, that at once becomes an engagement or understanding on the part of the House. It is true that, in answer to the question put both by the right hon. Gentleman the Member for Derby and myself as to whether Her Majesty's Government proposed to proceed *de die in diem* not only with this Bill, but with their most contentious Bill for compensation to the publicans, the First Lord of the Treasury told us that that was his intention. But we by no means assented to that view, and the right hon. Member for Derby made a *sotto voce* remark across the Table indicating what was his view of the matter; therefore, I appeal to the leader of the House as to whether he would not be more likely to make progress with the Bill by giving us the opportunity of putting down Amendments for Thursday next. The right hon. Gentleman the Chancellor of the Exchequer has promised that he will give us such information as he can to-morrow, and that will enable Amendments to be put down before the Committee stage is taken.

\* (12.58.) MR. W. H. SMITH: The right hon. Gentleman demurs to the view I expressed as to the engagement come to regarding the business of the House. I can only state my view of what then happened, and as to what generally happens in these cases. The leader of the House is asked what course the Government propose to take on particular questions, and when that is stated it is the practice of the Opposition to object, if the proposed arrangement is unsatisfactory, but in this case no objection whatever was made to the course suggested. I think, therefore, I am entitled to say that the Opposition ought to be bound by what then took place. I may add, however, that I am not anxious unduly to force on this measure. My only desire is to facilitate the progress of public business, and if right hon. Gentlemen opposite and their friends will undertake that the Committee on this Bill shall be dealt with in a business-like spirit, and that we shall make reasonable progress with the measure on Thursday, I shall be disposed to take other business to-day in the hope that we may arrive at some satisfactory result regarding this Bill on Thursday next. If this offer be accepted, and hon. and right hon. Gentlemen will endeavour to make progress with the Bill, it will not be placed on the Paper for to-day.

(1.0.) MR. J. MORLEY: Of course we shall do what we always do—what is fair. But we can enter into no engagement. We all desire that this business shall be got through with as much dispatch as possible. Perhaps the right hon. Gentleman will tell us what business he will take to-day?

MR. W. H. SMITH: The Allotments Bill and Contagious Diseases (Animals) (Pleuro-Pneumonia) Bill.

SIR W. LAWSON (Cumberland, Cockermouth): The right hon. Gentleman says we are to carry on the Debate on the Budget in a business-like spirit. I accept his invitation. It will certainly be carried on in a business-like spirit by me, for so long as it contains the compensation clauses, I will oppose it at every stage to the best of my ability.

Question put, and negatived.

Words "upon Thursday," inserted.

Main Question, as amended, put, and agreed to.

Resolved, That this House will, upon Thursday, resolve itself into the said Committee.

#### VOTERS' SUCCESSIVE OCCUPATION BILL.—(No. 148.)

Order for Second Reading read, and discharged.

Bill withdrawn.

#### OCCUPIERS AND LODGERS (METROPOLIS) BILL.—(No. 250.)

Order for Second Reading read, and discharged.

Bill withdrawn.

#### TOWN HOLDINGS COMMITTEE.

Ordered, That Viscount Wolmer be discharged and that Mr. Powell-Williams be added to the Committee.—(*Mr. Akers-Douglas.*)

### MOTION.

#### REAL PROPERTY BILL.

On Motion of Mr. Lloyd Morgan, Bill to amend the Law of Real Property, ordered to be brought in by Mr. Lloyd Morgan, Mr. Bradlaugh, Mr. Jennings, Mr. Philipps, Mr. Stuart Rendel, Mr. Dillwyn, and Mr. Randall.

Bill presented, and read first time. [Bill 252.]

#### ADJOURNMENT OF THE HOUSE.

(1.14.) Question proposed, "That this House do now adjourn."

(1.14.) MR. SEXTON: Will the right hon. Gentleman the Chancellor of the Exchequer endeavour to have prepared for us by Thursday the information he has promised as to the Customs and Inland Revenue Bill?

\* (1.15.) MR. GOSCHEN: I will endeavour to obtain it. I will try to have copies in the Vote Office.

\*SIR J. SWINBURNE (Staffordshire, Lichfield): What Bill will be taken first to-morrow?

\*MR. GOSCHEN: The Allotments Bill.

House adjourned at a quarter after One o'clock.

## HOUSE OF LORDS,

Tuesday, 6th May, 1890.

MUNICIPAL FRANCHISE EXTENSION (IRELAND)  
BILL.

A Bill to enable women to vote in municipal elections throughout Ireland—Was presented by the Lord Denman; read 1<sup>st</sup>; to be printed; and to be read 2<sup>nd</sup> on Tuesday next. (No. 74.)

HERRING FISHERY (SCOTLAND) ACT  
(1889) AMENDMENT BILL.—(No. 55.)

Reported from the Standing Committee for General Bills, with amendments: The Report thereof received; Bill re-committed to a Committee of the Whole House; and to be printed as amended. (No. 75.)

## OPEN SPACES BILL.—(No. 41.)

Reported from the Standing Committee for Bills relating to Law, &c., with amendments: The Report thereof received; Bill re-committed to a Committee of the Whole House; and to be printed as amended. (No. 76.)

## BILLS OF SALE BILL.—(No. 51.)

Reported from the Standing Committee for Bills relating to Law, &c., without amendment; and re-committed to a Committee of the Whole House on Thursday next.

KEW AND PETERSHAM VICARAGE  
BILL.

Brought from the Commons; Read 1<sup>st</sup>; to be printed; and referred to the Examiners. (No. 77.)

COMMITTEE OF SELECTION FOR  
STANDING COMMITTEES.

Report from, That the Committee have added the Earl of Mount Edgcumbe (*Lord Steward*) to the Standing Committee for Bills relating to Law, &c., for the consideration of the Industrial Schools Bill, Reformatory Schools Bill, Juvenile Offenders Bill; Read, and ordered to lie on the Table.

House adjourned at a quarter before  
Six o'clock, to Thursday next, a  
quarter past Ten o'clock.

## HOUSE OF COMMONS,

Tuesday, 6th May, 1890.

The House met at Two of the clock.

## QUESTIONS.

ST. GILES'-IN-THE-FIELDS BOARD OF  
WORKS.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the President of the Local Government Board if he will explain the grounds on which the Local Government Board, on 27th February, 1890, sanctioned the increase of salary from £300 to £600 per annum to the Medical Officers of Health for the St. Giles'-in-the-Fields District?

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE, Tower Hamlets, St. George's): The Medical Officer of Health referred to, prior to his re-appointment, was not required to devote his whole time to his duties. This condition was imposed upon him when he was re-appointed, and it was in consideration of this that the Vestry assigned to him the higher salary. The matter appeared to have been fully considered by the Vestry on more than one occasion, and the Local Government Board did not think that the circumstances were such that they should withhold their assent to the proposal. At the suggestion of the Board, however, it was made a condition that the medical officer should agree that, in the event of his losing his office by reason of the appointment of a Medical Officer of Health for an extended area including the whole or part of the district assigned to him, he would make no claim to compensation for any loss of emoluments exceeding the salary of £300 per annum, which he had previously received.

## THE INDIA COUNCIL BILL.

MR. MAC NEILL (Donegal, S.): Will the right hon. Gentleman the First Lord of the Treasury state at what time the Second Reading of the India Council Bill be taken? Will it be taken before Whitsuntide?

**\*THE FIRST LORD OF THE TREASURY** (Mr. W. H. SMITH, Strand, Westminster): It is impossible for me to say at the present moment when the Bill will be taken. I will endeavour to give ample notice, and I may assure the hon. Member that, at all events, a few days' notice will be given.

#### CONSULAR COURT AT TAMATAVE.

**MR. BRADLAUGH** (Northampton): I beg to ask the Under Secretary of State for Foreign Affairs whether the Secretary of State has received a Memorial from M. Auguste Desvaux, of the Mauritius, alleging arbitrary action by the Acting British Consul at Tamatave in prohibiting M. Desvaux from practising in the Local and Consular Court; and whether the Government will make any inquiry in the matter?

**\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS** (Sir J. FERGUSSON, Manchester, N.E.): The matter is now in the hands of the Supreme Government of the Mauritius, over which Her Majesty's Government have no authority, and to the proceedings of which, even if they disapproved of them, they could not effectively object. The proper Court of Appeal from the Supreme Court of the Mauritius is the Judicial Committee of the Privy Council. The Acting Consul will be defended in the action brought by M. Desvaux by the Procureur General of the Mauritius.

#### LOCAL TAXATION, &c. BILL.

**MR. CALEB WRIGHT** (Lancashire, S.W., Leigh): I beg to ask the President of the Local Government Board if, by virtue of the powers given to County Councils by Section 6 of the Local Taxation (Customs and Excise) Duties Bill, in respect of premises ceasing to be used for the sale of intoxicating liquors, such Councils may make pecuniary compensation to all persons having such interest as is there indicated; and, if so, upon what principle or mode of calculation such compensation may be assessed and paid?

**\*MR. RITCHIE**: The powers proposed to be given to County Councils in respect of the extinction of licences are purely voluntary. They are not bound to buy, nor those interested to sell. This being so, it did not seem to the Government to be necessary to lay down any principle

or mode of calculation by which the extinction of the licence should be secured.

**MR. BRADLAUGH**: Are we to understand from the answer of the right hon. Gentleman that "purely voluntary" means that it is in the discretion of the County Council to give or not give in various cases of the same quality and degree?

**\*MR. RITCHIE**: Unquestionably; it is entirely within their discretion. They will never spend a penny unless they like, and the mode in which they spend it is entirely within their own option.

**MR. ROWNTREE** (Scarborough): Is there to be any other means of dealing with the money except through the County Council?

**\*MR. RITCHIE**: No, Sir; no other means.

#### LIQUOR LICENCES.

**MR. STOREY** (Sunderland): I beg to ask the Chancellor of the Exchequer what was the total amount received last year for licences for the sale of intoxicating liquor in England, Scotland, and Ireland respectively; and whether he will grant a Return showing the amounts so received from each county and county borough?

**THE CHANCELLOR OF THE EXCHEQUER** (Mr. GOSCHEN, St. George's, Hanover Square): I must ask the hon. Member to repeat the question on Thursday. It will not be possible to procure the information for some time.

**MR. STOREY**: Will the information be given before the House goes into Committee on the Licensing Bill? because it is upon this basis that the right hon. Gentleman proposes to allocate the money.

**MR. GOSCHEN**: I think the Government will be able, in the course of a few days, to give the information in regard to each county and county borough. I will see what can be done.

#### KING JA JA.

**MR. PICTON** (Leicester): I beg to ask the Under Secretary of State for Foreign Affairs whether it is a fact that King Ja Ja, of Opobo, is being removed, or about to be removed, from his place of captivity at St. Vincent; and, if so, whether it is proposed to re-instate him in his own country?

\*SIR J. FERGUSSON : It is not a fact. Her Majesty's Government, have no such intention at present.

#### THE MOSSFIELDS COLLIERY EXPLOSION.

MR. PICKARD (York, W.R., Normanton) : I beg to ask the Under Secretary of State for the Home Department whether he will lay upon the Table of the House a verbatim copy of the shorthand notes taken at the Mossfields Colliery Explosion Inquiry held before A. Flint, esquire, on 22nd February and following days, upon the bodies of 59 men and boys ; whether, notwithstanding the expressed opinion of Mr. Harold Thomas, barrister at law, as stated in his Report to the Home Office, he will order a prosecution of the late manager of the colliery, seeing that Section 21 was violated and General Rule 7 disregarded and censured by the coroner, and especially having regard to the great loss of life consequent upon such violation and disregard of the Mines Act of 1887 ; and whether, taking all interests into consideration, he will order a special inquiry into the cause, or causes, of this explosion, as provided in Section 45 of "The Mines Act, 1887 ?"

\*THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam) : In view of the specially interesting nature of the questions raised in this case, the Secretary of State is willing to make an exception here, and to present to Parliament a print of the evidence taken at the inquest. The three months mentioned in Section 62 of the Coal Mines Act, 1887, having expired on January 16, no prosecution for offences against that Act can now be instituted. The Secretary of State has doubts whether any other criminal proceeding could be instituted with reasonable prospect of success ; but he will refer the evidence, when printed, to the Director of Public Prosecutions for his examination and Report whether any such proceedings should be taken. The Secretary of State is taking steps to carry out Mr. Thomas's recommendation as to the alteration of one of the Special Rules. He does not propose, having regard to the great care that was given to the inquiry before the coroner, to order a fresh inquiry under Section 45.

#### THE LLANERCH COLLIERY EXPLOSION.

MR. PICKARD : I beg to ask the Under Secretary of State for the Home Department whether he will lay upon the Table of the House a verbatim Copy of the shorthand notes taken at the coroner's inquest on the 176 bodies killed by the explosion at the Llanerch Colliery, Monmouth, on 6th February, 1890 ; whether he will give instructions to prosecute the manager and firemen for having violated General Rules 4, 8, and 12 of "The Mines Act, 1887 ;" and whether, having regard to the safety and well-being of our miners generally, and the Llanerch miners in particular, he will institute a special inquiry into the cause or causes of the explosion at this colliery, as provided in Section 45 of "The Mines Act, 1887 ?"

MR. STUART WORTLEY : The Secretary of State is daily expecting the Report of the learned counsel who represented the Home Office at the inquest. Pending its receipt, he is not in a position to reply to the questions of the hon. Member.

#### EXPERIMENTS ON ANIMALS.

MR. HOWARD VINCENT (Sheffield, Central) : I beg to ask the Under Secretary of State for the Home Department when the Return of Experiments authorised upon animals in 1889 for the advancement of medical knowledge of the living body will be ready ?

MR. STUART WORTLEY : The Return was produced on Saturday last.

#### FALSE IMPRISONMENT ON PERJURED EVIDENCE.

MR. CUNINGHAME GRAHAM : I beg to ask the Under Secretary of State for the Home Department if it is possible to give any compensation to the men Gleeson, Brady, Brooks, and Whaley, for false imprisonment ?

MR. STUART WORTLEY : The Secretary of State has nothing to add to the answer which he gave to a similar question of the hon. Member on the 21st April last.

#### JESUIT COLLEGE AT VALENCIA.

MR. LABOUCHERE (Northampton) : I beg to ask the Under Secretary of State for Foreign Affairs whether he has

observed the statements in the Spanish newspapers that the Jesuit College in Barcelona is registered as belonging to British subjects, although there are neither English priests nor English collegians there, and that the same is the case with regard to the Jesuit College at Valencia; and that the British flag was raised over the latter college during the recent riots in that town; and whether he will cause inquiry to be made into this matter, in regard to which very strong protests are being raised by the Spanish Press?

\*SIR J. FERGUSSON: The hoisting of the British flag over the Jesuits' College at Valencia has been reported to Her Majesty's Government by Her Majesty's Ambassador at Madrid, who states that the building appears to belong to a British subject. No representation on the subject has been made by the Spanish Government.

#### CENTRAL AFRICA—THE STANLEY EXPEDITION.

MR. ALFRED PEASE (York): I beg to ask the Under Secretary of State for Foreign Affairs whether it is true that the survivors of the slaves with which the Stanley Expedition was manned, and which were originally hired from Arab and other owners at Zanzibar, have been handed over to their original owners, and returned into slavery at Zanzibar; and whether it is a fact that the wages they earned on the Expedition have been appropriated by their owners? I also wish to know whether the attention of the Government has been directed to certain telegrams that have appeared in the *Times* newspaper, from Zanzibar, more especially one dated 29th April, in the *Times* issue of 30th April, in which the following statement occurred:—

"A German steamer sailed to-day for the Congo with 400 mixed slaves and freemen, recruited here for the Congo Railway;"

whether Her Majesty's Government have any information, confirmatory or otherwise, with regard to the allegations that numbers of slaves are being shipped from time to time from Zanzibar to the Congo State, to supply labour for the construction of the Congo Railway; and whether he has any information to show that the export of slaves from Zanzibar, whether as slaves or under the

*Mr. Labouchere*

colour of *engagés* has greatly stimulated the Slave Trade in the Lake districts?

\*SIR J. FERGUSSON: We have been informed by Her Majesty's Consul General in Zanzibar that the steamer in question sailed after an inquiry had been held on board by the German Authorities on the East Coast. It is understood that the Zanzibar Government is in communication with the Congo Government on the subject. No information has reached the Foreign Office to the effect stated in the last paragraph of the question. Her Majesty's Government are informed that the engagement of these persons is perfectly free on their part. It would be preferable from our point of view that they should take service with the East African Company at Mombasa, but they elect to go to the Congo, and it is possible that the liberality shown to the porters of the Emin Relief Expedition have influenced them in their choice.

MR. A. E. PEASE: Is it the fact that the slaves were returned to their masters at a date subsequent to the decree of November, which declared all slaves free, entering or returning into the territory of the Sultan?

\*SIR J. FERGUSSON: The hon. Gentleman has misunderstood me. I did not say that the slaves were returned to their masters, but that they voluntarily went back. The Relief Committee had nothing to do with the matter at all. The men voluntarily engaged themselves, and when their service was ended they returned.

MR. A. E. PEASE: Will the right hon. Gentleman reply to the last part of the hon. Member's question, namely, whether the export of slaves from Zanzibar, whether as slaves or under the colour of *engagés*, has not greatly stimulated the Slave Trade in the Lake Districts?

\*SIR J. FERGUSSON: I have stated that no information of the kind has reached Her Majesty's Government.

#### COMPENSATION TO RETIRED OFFICERS.

MR. CUNINGHAME GRAHAM: I beg to ask the Financial Secretary to the War Office whether his attention has been called to a paragraph in the *United Service Gazette* of Saturday, 26th April, stating that a certain Major General,

compulsorily retired, had asked for, and been refused, the actuarial calculations upon which the rate of compensation was fixed; and, if so, why was it refused; and, if those calculations were correct, why was the data upon which the calculations were founded given in the case of a retired Colonel of Engineers, and refused to the other officers?

\*THE FINANCIAL SECRETARY FOR WAR (Mr. BRODRICK, Surrey, Guildford): Actuarial calculations as to the retired pay of officers are confidential documents for the assistance of the Secretary of State in fixing the amount to be awarded. I am not aware that the actuarial calculations have been given in any recent case.

Mr. SUMMERS (Huddersfield): I beg to ask the Attorney General whether he will call the attention of the Director of Public Prosecutions to the facts and allegations connected with the Salford gas contracts, with a view to proceedings being taken against all persons who have not yet been brought to justice, with respect to whom *prima facie* evidence exists that they have been engaged in a conspiracy to defraud the ratepayers of Salford?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I have not sufficient information to enable me to reply to the question. If any statement is laid before me I will take care that it is submitted to the Public Prosecutor.

Mr. SUMMERS: I beg to ask the First Lord of the Treasury whether the Government will consider the propriety of introducing a Salford Corporation (Commission) Bill, on the lines of the Metropolitan Board of Works (Commission) Bill, which was introduced into this House by the Home Secretary, the First Lord of the Treasury, and the Under Secretary for the Home Department, in the year 1888?

\*Mr. W. H. SMITH: I would remind the hon. Member that the Metropolitan Board of Works (Commission) Bill was only introduced after an Address to the Crown had been moved by the right hon. Lord the Member for Paddington, and after he had shown that there was no legal remedy open to those who felt themselves aggrieved. As regards Salford, the Government are not at all satisfied that

the legal remedies have been exhausted. In the absence of proof to that effect, and in the absence of an Address to the Crown, the Government as yet see no reason why they should be expected to take the initiative.

#### LICENSED HOUSES.

Mr. STOREY: I beg to ask the First Lord of the Treasury whether the Government will prepare and present to the House a Return of the licensed houses (distinguishing full licences from licences for "beer on") in each licensing area in the country, and setting out the situation of each such House, the name of the owner, and the name of the ostensible licensee?

\*Mr. W. H. SMITH: The Return presented on the Motion of the noble Lord the Member for Paddington seems to me to answer every necessary purpose. The Return the hon. Member asks for would be exceedingly difficult to obtain; it would be most costly, and is not required for any necessary purpose.

Mr. STOREY: If the right hon. Gentleman will inquire I think he will find that every clerk to the Licensing Justices has at this moment a Return in his possession for the present year. I have seen a Return for one borough, and I could easily obtain similar Returns for other boroughs. I would, therefore, ask the right hon. Gentleman to consider the matter, and to request these gentlemen to forward copies of the Returns, as they contain information of extreme importance.

\*Mr. W. H. SMITH: I will, of course, in answer to the request of the hon. Member, consider the matter; but I think he will see that a complete Return would be of a most voluminous character, seeing that some 110,000 persons or houses are licensed, and to give all the information asked for by the hon. Member would involve a considerable amount of labour and expense.

#### THE LOCAL TAXATION BILL.

SIR WILFRID LAWSON (Cumberland, Cockermouth): I beg to ask the First Lord of the Treasury whether he will consent to postpone the Second Reading of the Local Taxation Bill until the County Councils have had ample time to express their opinion on those



provisions of the measure which impose on them the obligation of negotiating for the purchase of licences?

MR. W. H. SMITH: The hon. Baronet has already announced his intention of doing his best to defeat the Local Taxation Bill, and the Government do not feel called on to help him in that object by postponing the Second Reading of the Bill.

#### IRELAND—THE SPECIAL COMMISSION —THE CONVICT M'CAFFREY.

MR. M'CARTAN (Down, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland on what date the prisoner M'Caffrey, who was removed to London to give evidence before the Special Commission, was brought back to Downpatrick Convict Prison; for what period he was detained in London; and whether he was called as a witness before the Commission; whether he has been kept in solitary confinement, or otherwise punished, and for what periods, since his return; and if he can state the reason for his punishment, and at whose instance he was brought to London?

THE CHIEF SECRETARY FOR IRELAND (MR. A. J. BALFOUR, Manchester, E.): The General Prisons Board report that the convict mentioned was removed to London, not to give evidence before the Special Commission, but as a witness in the case of "The Queen v. Molloy." In connection with that case he was in London for one period of 19 days ending March 20, 1889, and a second period of nine days. Since his return to Ireland a year ago he has been punished for various breaches of prison discipline and rule on five occasions. His attendance in London was at the instance of the solicitors for the prosecution.

MR. M'CARTAN: For what period was he punished?

MR. A. J. BALFOUR: The Prisons Board have not sent me full particulars; but if the hon. Gentleman will put down a further question I shall be happy to obtain them.

#### IRISH NATIONAL SCHOOLS.

MR. JORDAN (Clare, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Commissioners of National Education in Ireland have, for

*Sir Wilfrid Lawson*

the past four or five years, paid a grant to Townavanny National School, in County Fermanagh, the average attendance being under 20 pupils, the manager being the Rev. John Donaldson, Presbyterian minister, the teacher being also a Presbyterian, the pupils attending the school being all Episcopalian; whether he is also aware that the local Episcopalian minister, the Rev. D. E. Dickson, is manager of a vested National School at Rossharbour, with an Episcopalian teacher, and within about a mile distant from the residences of the pupils attending the Townavanny school; and whether the Regulations of the Treasury sanction the payment of a grant to this Presbyterian school, for the purpose of giving religious instruction to a small number of Episcopalian children, when they can, as in this case, obtain such instruction from a teacher of their own creed in the school about a mile from their homes, there being no Presbyterian children whatever in the locality of either school?

MR. A. J. BALFOUR: I have not received a detailed Report on the several points mentioned in the question; but the Commissioners of National Education inform me that it is the case that the first mentioned school receives a modified and reduced grant. The second mentioned school receives a full class grant, the attendance being sufficient. The Commissioners propose to inquire further into this matter.

#### THE CRIMINAL LAW AND PROCEDURE (IRELAND) ACT.

MR. M'CARTAN: I beg to ask the Attorney General for Ireland whether he is aware that a number of important Judgments delivered in the High Court of Justice in Ireland, in cases under the Criminal Law and Procedure (Ireland) Act, have been collected in a volume and published by the Queen's printers in Ireland; whether copies of this volume have been supplied to the Crown Solicitors, Sessional Crown Solicitors, and Resident Magistrates throughout the country; whether he can say at whose request this volume was published; and if copies will be supplied to Irish Members of Parliament or to Irish lawyers at a fair price?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): The volume referred to was printed by the direction of the Government for the information of Magistrates. It was also supplied to Crown and Sessional Crown Solicitors. It has been the constant practice of Government to have Reports of important cases printed by the Queen's printers for private use, and not for public sale; and there would be difficulty in departing from this course on the present occasion.

MR. HUGH GRAHAM, J.P.

MR. PATRICK O'BRIEN (Monaghan, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the serious charges of intemperance which have been brought against Mr. Hugh Graham, Justice of the Peace, of Dromore, County Tyrone, have been before the Lord Chancellor for several months; whether the Lord Chancellor has yet given his decision, and what is the cause of so long a delay; and whether he is aware that the Magistrate whose conduct has been so gravely impugned still sits in the Dromore Petty Sessions Court?

MR. A. J. BALFOUR: I am informed by the Lord Chancellor of Ireland that he has suspended the gentleman mentioned from sitting on the Bench of Magistrates. The allegation in the last paragraph of the question does not appear to have been well founded.

#### LAND COMMISSION—ULSTER.

MR. MCARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will state how many fair rent applications, served on the Land Commission in respect of holdings in Ulster, still remain undisposed of; and what number of legal Sub-Commissioners are now engaged in hearing cases in Ulster?

MR. A. J. BALFOUR: The Land Commissioners report that 9,902 applications have been disposed of. The number of Sub-Commissioners now engaged is three, one of whom is partly engaged in the Province of Ulster, and the other two partly in Ulster and partly in another Province. I believe that the number of outstanding cases is being diminished.

#### THE TIPPERARY POLICE.

MR. JOHN O'CONNOR (Tipperary, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what are the instructions to the police in Tipperary regarding the watching and following of persons visiting that town; is he aware that on the 2nd instant when Mr. John Kelly, of Dublin, arrived at the Limerick Junction he was joined by a policeman, who walked by his side keeping step with him and accompanying him everywhere; and whether he will inquire into the practice of the police in this respect, and prevent any provocative conduct on their part towards people visiting the town of Tipperary?

MR. A. J. BALFOUR: The instructions to the police are to watch persons who may reasonably be suspected of indulging in illegal practices. I believe Mr. Kelly comes under that description, so that it is probable that he was followed by the police on his arrival at Limerick Junction.

#### IRISH NATIONAL TEACHERS.

MR. CRILLY (Mayo, N.): I beg to ask the Chancellor of the Exchequer if the Treasury has yet sanctioned the establishment of the proposed Fund for the benefit of the widows and orphans of the Irish National teachers; and, if not, will he say what has caused the delay?

\*MR. GOSCHEN: We have taken much trouble in this matter, and have devoted a large amount of time to it. The delay has been due to what the Treasury consider inadequate provisions for the solvency of the Fund. Some of the rules proposed sinned in our opinion against sound actuarial principles, and seemed likely to involve trouble and disappointment in the future.

#### MICHAEL MORRISSEY.

MR. CAREW (Kildare, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, seeing that Michael Morrissey has now been more than six weeks in prison for having failed to remove certain buildings erected for the shelter of evicted tenants on the farm of Mrs. Kelly, of Clongorey, over which he had no control, he will consider the desirability of recommending his immediate release?

MR. A. J. BALFOUR: Morrissey is in prison for contempt of Court, and the Irish Executive have no power to deal with the case. It is open to the prisoner to obtain his immediate release by purging the contempt.

In reply to a further question by Mr. CAREW,

MR. A. J. BALFOUR said: As far as my memory enables me to say, this man's wife has been released on account of ill-health.

MR. SEXTON (Belfast, W.): Have the Irish Executive no power to interfere?

MR. A. J. BALFOUR: No, Sir; I understand not. We have been clearly advised on that point, and I think I have already said so in answer to previous questions. I am told that the Irish Executive have no power whatever to interfere in a case of committal for contempt of Court.

#### BOYCOTTING—CASE OF MR. DALY

MR. M'CARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will state on what date Mr. Daly and the other prisoners convicted of boycotting the Great Northern Railway at Carrickmacross were transferred from Derry to Belfast gaol; and if he will explain why they were obliged to wear the prison uniform on their journey, and handcuffed when brought through the streets of Belfast?

MR. A. J. BALFOUR: The General Prisons Board report that the prisoners referred to were removed from Derry to Belfast Prison on 8th April. These prisoners elected to wear the prison dress while in prison, and were, as usual in such cases, transferred in that clothing. They were handcuffed in accordance with the practice which is adopted by the constabulary in the case of prisoners under their charge when passing through a thickly-populated town, when the escort happen to be also strangers to the town.

MR. SEXTON: Is the right hon. Gentleman aware that a man named Dunlop, who was lately convicted of forgery, and who was suspected of complicity with murder, was taken to prison in his own clothes, and was not handcuffed?

MR. A. J. BALFOUR: I am not acquainted with the case; but, of course, the duty of the police would be regulated by the circumstances of the case.

#### UNITED STATES TARIFF BILL.

MR. HOWARD VINCENT: I beg to ask the Under Secretary of State for Foreign Affairs if it is true that the new Tariff Bill submitted by the Committee of Ways and Means to the House of Representatives of the United States of America provides for the practical prohibition of importations of Sheffield cutlery and edge tools by an increase in the Import Duties of from 50 to 100 per cent.; and in the event of the adoption by a friendly Power, whose productions are admitted to a free market in the United Kingdom, of proposals so serious to British industry, if Her Majesty's Government will consider the desirability of extending the doctrine of commercial reciprocity adopted by this country in the case of Greece?

\*SIR J. FERGUSSON: It appears to be intended in the Bill on the whole to increase these duties, though in some classes of edged tools a decrease seems to be intended. Her Majesty's Government are not in a position to judge what the amount or value will be, and the proposals are subject to alterations during the progress of the Bill. It would be impossible to object to such proposals, because they are founded upon a fiscal policy different to our own; and there is no opportunity of procuring reciprocal reductions unless we are imposing duties upon staple articles of production from the country in question, as was the case in regard to Greek currants.

#### THE ALLOTMENTS BILL.

MR. CHANNING (Northampton, E.): I wish to put a question to the President of the Local Government Board in reference to the Allotments Bill. I had an Instruction down upon the Paper on Friday, which I was prevented from moving; but I wish to know if the right hon. Gentleman will introduce clauses for the purpose of cheapening the procedure under the Act in the direction of the Instruction I had intended to move, which Instruction was to the effect that in case of compulsory purchase now extra allowance should be made; and also clauses to provide that

the Local Authorities shall have more freedom as to the extent of the land they may require for the purpose of allotments. Will the Government introduce clauses of that nature now, or will they re-commit the Bill at a later period, with the view of inserting clauses to cover those purposes?

\*MR. RITCHIE: The very fact of the hon. Gentleman being in order in moving an Instruction to the Committee will show that, unless such an Instruction had been agreed to, neither the Government nor any individual Member could possibly introduce such clauses. Therefore, whatever may be the view of the Government they would be unable to take the course suggested by the hon. Member.

In reply to a further question by Mr. CHANNING,

\*MR. RITCHIE said: The progress of measures now before the House is not so rapid as to afford the slightest chance of a Bill dealing with the questions raised by the hon. Member becoming law, or even to justify its introduction.

#### THE WHITSUNTIDE HOLIDAYS

Mr. HERBERT GARDNER (Essex, Saffron Walden): I wish to ask the First Lord of the Treasury whether the statement which appears in the public Press to-day in regard to the Whitsuntide holidays is correct?

\*MR. W. H. SMITH: No, Sir; there is no foundation whatever for it.

#### LATE SITTINGS.

Mr. H. H. FOWLER (Wolverhampton, E.): I wish to ask the First Lord of the Treasury a question with reference to the late Sitting on Monday when the House did not rise till a quarter past 1 o'clock this morning. The Votes and Proceedings of Friday's Sitting set forth that "it being after 1 o'clock, Mr. Speaker adjourned the House without Question put." Last night, however, considerably after 1 o'clock, and after the Money Bill exempted from the operation of the Standing Order had been disposed of, the House proceeded to deal with between 60 and 70 Orders of the Day. It was a great inconvenience to hon. Members to be kept after 1 o'clock, while the Orders of the Day were being hurriedly gone through, in order to

prevent possible mischief in consequence of some Bill being run through without the knowledge and concurrence of the House; and I ask the First Lord of the Treasury whether he will propose such a verbal alteration in the Standing Order relating to theittings of the House as will prevent any business being taken after 1 o'clock, except such business as either by Standing Order or Resolution of the House can be taken after that hour?

\*MR. W. H. SMITH: It is somewhat unusual to put a question relating to the Orders and Rules of the House without notice; but in reply to the question of the right hon. Gentleman I have to say that the course pursued at an early hour this morning was, in the first place, for the convenience of the House; and, in the second place, in accordance with the Standing Orders, which provide that after any business exempted from the operation of this Resolution (that is the 12 o'clock Rule) is disposed of, the remaining business of the Sitting shall be dealt with according to the provisions applicable to business taken after 12 o'clock; and it is within the knowledge of the right hon. Gentleman that business taken after 12 o'clock at an ordinary Sitting is gone through for the convenience of the House, and Orders are postponed or, if no objection is made, they are taken, and when the Orders are gone through the adjournment is moved. That was the course pursued this morning, and I think it was one which was for the convenience of the House. I will, however, consider the question, and if there appears to be any general desire on the part of the House that a change should be made, I will see what course can be adopted.

Mr. H. H. FOWLER: I wish to explain that I thought the matter so important that I wished to call attention to it without loss of time, and had no opportunity of giving notice.

#### POST OFFICE AT BOOTLE.

COLONEL SANDYS: I had intended to ask the Postmaster General whether there would be any objection to grant a separate General Post Office, distinct from the Liverpool Post Office, to the Borough County of Bootle, in Lancashire, which has 54,000 inhabitants at the present time and is increasing; such

change of postal arrangements being desired by many persons residing there ; but at the request of the right hon. Gentleman I beg to postpone the question until Thursday.

#### INLAND REVENUE REGULATION

BILL.—(No. 211.)

Bill reported from the Select Committee on Statute Law Revision Bill [Lords] with Minutes of Evidence.

Report to lie upon the Table, and to be printed. [No. 110.]

Bill re-committed to a Committee of the whole House for Thursday, and to be printed. [Bill 255.]

#### WESTERN AUSTRALIA CONSTITUTION

BILL.—(No. 112.)

Bill reported from the Select Committee, with Minutes of Evidence.

Report to lie upon the Table, and to be printed. [No. 160.]

Bill re-committed to a Committee of the whole House for Monday next, and to be printed. [Bill 256.]

### MOTION.

#### MINING ACCIDENTS (SCOTLAND) (NATIONAL INSURANCE) BILL.

(On Motion of Mr. Baird, Bill to provide for a system of National Insurance against accidents in mines in Scotland, ordered to be brought in by Mr. Baird, Mr. Hozier, Mr. Hugh Elliot, and Mr. Vernon.

Bill presented, and read first time. [Bill 257.]

### ORDERS OF THE DAY.

#### ALLOTMENTS ACT (1887) AMENDMENT

BILL.—(No. 147)

Bill considered in Committee.

(In the Committee.

Clause 1 agreed to.

Clause 2.

\* (3.0.) MR. OLDROYD (Dewsbury): I beg to move, in line 12, page 1, after "parish," to insert "not being within the limits of a borough as defined by 'The Municipal Corporation Act, 1882.'" I think the Amendment is one of considerable importance, its object being to restrict the operation of the Bill within a borough. Under the principal Act the

*Colonel Sandys*

Sanitary Authority of any district, on the representation of six electors, are placed under an obligation to provide allotments, and under the measure now before the House, on the default of such Sanitary Authority, an appeal is conceded to the County Council of the county. It is against this broad and indiscriminate appeal that I take objection. I quite admit the view put before the House by the President of the Local Government Board on Friday, that this Bill does not open up the general question of allotments. It is merely an Amendment Act introduced with the intention of giving greater efficiency to the provisions of the original Bill ; and I submit that the Amendment which I am moving does not in any way frustrate the design of the Government to render the original Act more efficient. My object is not to exclude boroughs from the benefits of the principal Act, but simply to exclude them from what I conceive to be the disadvantage of the appeal instituted by the Bill. I will not deal with the question of the county boroughs. I have been given to understand that the Government are disposed to agree to another Amendment on the Paper excluding the county boroughs from the operation of the Bill. I propose, therefore, to confine my remarks to the Amendment, so far as it affects the non-county boroughs. I do not move it in any spirit of hostility to the Government, because I fail to see that there is any Party question involved in the matter, and I hope and expect to receive support from both sides of the House, and especially from those who are the friends of municipal government. I wish the Committee thoroughly to understand that I have no intention of excluding the boroughs from the benefit of the principal Act. I do not object to an appeal from the Sanitary Authority to the County Council elected on a proper basis, but I am opposed to an appeal from the Municipal Council to the County Council elected on identically the same franchise and with no higher sanction than the authority from which the appeal is made. I fail to see any reason whatever for the institution of an appeal of any sort from the decision of the Town Councils. They are an authority above suspicion, and if they prove recalcitrant and refuse to comply with the wishes of the people

in regard to making provision for allotments, the remedy is a very simple one, and will be in operation on every 1st of November, when one-third of the Town Council has to submit itself for re-election. Therefore, a Court of Appeal is already established, namely, the electors themselves. If it is necessary to institute an appeal, I venture to think that it ought not to be to any authority more remote from the place concerned and the parties interested than the Town Council itself. No authority can be in more intimate touch with a place and with those concerned than the electors and the representatives of the ratepayers in the Town Council, and I think there could not be a better appeal than to the constituency itself, which has all the responsibility of the matter, knows its own mind, and is supposed to know its own business. There is no appeal from this House to the House of Lords or to the Crown; but the appeal is back again to the people, who are the source of the power and the authority of the House. I object to an appeal from an authority which has full cognisance of the affairs of the town, and maintain that in all cases it should be to the electors rather than from them. If a Court of Appeal is to be instituted, why should it be to the County Council, which has no higher sanction than the Town Council, and which must, from the very nature of the case, be less fitted for the consideration of the question of allotments than the Town Council can be? It is less in touch with the electors and must know less about the matter than those who live on the spot. It may be urged that the Town Council, according to the machinery of the Bill, will be represented in the County Council, which is to adjudicate in the matter. But the Town Council is only very fractionally represented. Take the case of the West Riding of Yorkshire. The County Council consists of 120 members; but by the machinery of this Bill the Committee will consist of not more than one-fourth, or 30 members, and the two solitary representatives of any particular borough will constitute a very fractional part of that Committee, and they may, individually, be directly opposed to the expressed will of the Town Council itself. Then, again, the representatives will be elected for county and not for

local purposes. It may be urged that the County Council will not rush to a conclusion in these matters, but will institute an inquiry on the spot, and will be guided by the evidence brought before them. In reply to that, I say that the very necessity for inquiry is condemnatory of the principle laid down in the Bill. The Town Council would have no need for inquiry, because they would know all the concerns of the place and every interest that affected the ratepayers. Therefore, I submit that the arrangements and machinery of the Bill will lead to the all-important factor of local knowledge and local opinion being swamped by the opinion and views of those who are comparative strangers to the interests of the district concerned. I further maintain that if the opinion of the County Council is opposed to that of the borough it will, if put in force, engender a great deal of friction. The opinion of the County Council cannot be operative except in a case where it is opposed to that of the Town Council, and in the very nature of the case it would be a gratuitous affront to the Town Council and a reflection upon its judgment. What justification is there, I would ask, for making these offensive proposals? The Town Councils in the past have proved themselves equal to all the demands which have been made upon them, and their duties have been numerous and multifarious—some of them vastly more important than questions which are now sought to be taken out of their hands. Municipal Government is acknowledged on all sides to be the best form of Local Government, and it has proved itself effective both in small and large matters. I believe that the institution of an appeal from the Town Council to the County Council will establish a bad precedent and one that will be not only dangerous but insidious, leading to greater development on the same lines in the future. If we once acknowledge the right of the County Council to interfere in the local matters of a borough, it will end in the Town Council being completely overshadowed by the supposed greater importance of the County Council. What will the consequence be to the Town Council itself? It will be shorn of its powers and necessarily weakened. It will become a subsidiary

body and be converted into a consultative Committee from whose judgment an appeal may be made to the better judgment of the County Council. That will be a heavy blow to the efficiency and independence of the Town Councils generally, and the result will necessarily be that the best men in the borough will refuse to serve on the Town Council, when they feel that all influence is withdrawn for them. I think that we cannot be too careful not to allow anything to pass this House in the shape of legislation which will tamper with our Municipal Government—an institution which has done more than anything else to train the people of this country in the art of self-government—an institution which has been encouraged and fostered by past legislation, and which has proved worthy of the confidence reposed in it. It will be a blow not only unseemly, but premature. It will constitute an appeal from an old authority which has been tried for many centuries to one which has not yet proved itself worthy of confidence, an authority yet untried and which has yet to win its spurs. Public opinion will effect every remedy that is necessary, because on the 1st of November in every year one-third of the Town Council must be re-elected. If the Town Councillors are opposed to public opinion, public opinion will know how to bring its influence to bear upon them. Then, again, the question of time may be urged in this case—that it may take a long time to bring round the Town Councils to a knowledge of their duties and a desire to perform them. The proposal, however, as it originally stood in the Bill, has been considerably altered by the President of the Local Government Board. Whereas time was to have been given, now, in the case of opposition by the Town Council, the affair is to be taken wholly out of their hands, and put into those of the County Authority. Therefore, as the Bill stands, it is even worse than it was when originally drafted. If an appeal from the Town Council is to be given to the County Council, we shall be adopting the principle of an untried authority, possessing a less intimate knowledge of the locality, usurping the power of the Local Authority, spending the money and pledging the credit of the authority which has been specially

*Mr. Oldroyd*

appointed to administer the local affairs of the district. That is both a dangerous and an un-Constitutional principle; and a proposal not only arbitrary, but one which casts doubt upon the wisdom and the sense of responsibility possessed by the Town Councils. Yet that is the view which the right hon. Gentleman has taken of the Town Councils, which he says have not in the past performed their duties satisfactorily.

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I have no desire to interrupt the hon. Member, but I did not make any statement of the kind.

\*MR. OLDROYD: I am glad to find that I misunderstood the right hon. Gentleman.

\*MR. RITCHIE: What took place was this: An hon. Gentleman on the opposite side urged that Boards of Guardians had not performed their sanitary duties in a satisfactory manner, and drew from that fact the conclusion that the Boards of Guardians ought not to be entrusted with the administration of this Act. In reply to that assertion, I said that no doubt there had been Boards of Guardians which had not administered satisfactorily the powers conferred upon them, and I added that there were also Municipal Authorities which had not performed their duties satisfactorily.

\*MR. OLDROYD: That is exactly what I said.

\*MR. RITCHIE: I was not referring to the administration of the Allotments Act at all, but to ordinary sanitary administration—water, drainage, and so on.

\*MR. OLDROYD: I naturally thought that the application of the right hon. Gentleman's remarks were to the Bill before the House.

\*MR. RITCHIE: That was not so.

\*MR. OLDROYD: I do not propose to deal with the county boroughs in the matter. They are quite capable of taking care of themselves. There are 226 non-county boroughs, and I have addressed a communication to each one of them in regard to this Bill. I have received replies in 160 cases. In 124 of these, Town Clerks report that no application for allotments has been made under the original Act. But in 36 cases such application has been made. In 20 allot-

ments have been provided, leaving only 16 to be accounted for. Of these 16, four have the matter at the present moment under consideration, and are awaiting further information on the subject. Of the remaining 12, Abingdon has not put the principal Act in force because there are plenty of allotments already available; Bewdley did not put it in force because land is already provided; in Buckingham the Town Council hesitate to take compulsory powers because voluntary measures have not yet been exhausted; in Jarrow the matter has been carefully considered, but it is found that land cannot be provided, except at too costly a rate; in Louth there have been a considerable number of applicants, but they refuse to give a market value for the allotments they desire to have; in Lyme Regis considerable difficulty has been found in securing land at a sufficiently low rent to make the Act workable; in Newbury the matter has been postponed; in Tenterden compulsory powers have not been exercised, and landowners have not yet offered their land; in Tunbridge Wells the Act would have been put in force, but it was found that the only land available is at too great a distance from the cottages occupied by the applicants; in Weymouth an advertisement was inserted in a local newspaper, resulting in 100 applications, but it was found that the applicants were not disposed to pay a price which would cover the cost of acquiring the land and administering the Act; at Wokingham the same remarks apply; and in the case of Workington the Act has not been put in force because the applicants were found not to be *bona fide* labourers, but a class for whom the Act was never intended. I maintain that these cases show that the principal Act has been put in force wherever it was possible, consistent with the interests of the locality, and that the Municipal Authorities have not shown any spirit of opposition to the working of the Act. I leave the case now in the hands of the Committee, and I hope that the President of the Local Government Board will see his way to leave the question an open one, so that Members may discuss it and vote upon it without feeling themselves trammelled by Party ties.

Amendment proposed,

In Clause 2, page 1, line 12, after the word "parish," to insert the words "not being within the limits of a borough as defined by 'The Municipal Corporations Act, 1882.'"—(*Mr. Oldroyd.*)

Question proposed, "That those words be there inserted."

\*(3.26.) *SIR A. ROLLIT* (Islington, S.): A similar Amendment stands on the Paper in my name, and I therefore beg to second the proposal of the hon. Member for Dewsbury (*Mr. Oldroyd*). In doing so I hope I may appeal to the President of the Local Government Board to have regard to the wishes of a very large portion of the House upon this subject. Almost without exception the feeling in the Municipalities is extremely strong and unanimous, and I believe that my right hon. Friend will both serve the State and the interests of his own Party if he will consent to recognise the prevalence of that feeling. I am quite sure that if we are compelled to divide upon the question there are many of us who will have regard to old municipal feelings—which are even older than Party feelings. As far as the county boroughs are concerned, the right hon. Gentleman has intimated to me that if the Bill is doubtful as to their inclusion in this clause a new section will be inserted to make it clear that there is no intention of establishing an appeal from the county boroughs to the County Councils. I hope that concession will not be limited to the county boroughs. I think there are the strongest reasons for extending it to the non-county boroughs. It is a distinct innovation to give an appeal from one representative body to another, especially when the latter is a collateral representative body. I do not hesitate to say that if the boroughs have to choose between an appeal to a Public Department and an appeal to a collateral tribunal of a similarly representative character to their own, they will choose the former. If I wanted to illustrate the strength and universality of the feeling in this matter I could not do better than refer to the right hon. Gentleman to his own Transfer of Powers Bill of last Session, which encountered so much opposition because it was based on similar lines to the present proposal. The clause would have a tendency to make an inroad on the sense of responsibility of Town



Councils. It must be remembered that the responsibility of these Councils has been exercised by them for a very long period—many of them have existed for centuries. The County Councils, much as we esteem them, are but the creations of yesterday, and have not that experience, that prestige, and that responsibility which attaches to the Town Councils. My second objection to the clause is that this is a distinctly local question, and that it is a matter to be dealt with in small areas and by communities themselves on the spot. What are the questions on which Local Bodies are called upon to act in this matter? The first is, whether there is a need of allotments; and the second is, can they be obtained on voluntary and reasonable terms? Surely these are essentially local questions. Who can know better than those who reside in the locality whether there is a need of allotments and how they can best be obtained? I hope our action on this point will not be misinterpreted. The more people we can associate with an interest in the land the better for those principles we support on this side of the House. It may be information to this House that the best illustration of the application of the allotments principle in this country is the case of the City of Nottingham. I know of no instance in which a progressive Municipality has done so much in various directions, and especially in the direction of providing allotments close to the doors of the people. I ask whether, if the wishes of the labourers are overlooked by their own representative body, it can be expected that they will appeal to a distant tribunal? If they do and are successful, there will be great friction; and whether they are successful or not there will be great feeling. I believe the feeling against this proposal is not confined merely to the boroughs. You will, I think, find it expressed even by those representatives who represent county constituencies. They feel that if the County Councils are to be called upon to interfere in a number of local matters, the chief reasons for their establishment will be jeopardised. I can quite understand that new bodies, which are themselves on their trial, which so far have succeeded admirably, and which have a great deal to do in the future,

*Sir A. Rolli*

should say in this matter "Save us from our friends." I hope this demand will not be persisted in, and that the Government will see their way to assent to the Amendment.

\*(342.) MR. HOBHOUSE (Somerset, E.): I hope the Committee will not be carried away by the two very able speeches which have just been delivered so as to overlook the very serious disadvantages this Amendment, if adopted, will produce all over the country. I think there is a general agreement that we should not spend much time in discussing the case of the county boroughs, because they have been already left outside the present county system, and it would be absurd to include them in it under this Bill. But with regard to the small boroughs the case is entirely different. There are at present over 200 of these boroughs which are fairly represented according to population in the County Councils. At least half of them have a population of less than 10,000, whilst 72 have a population of under 5,000, and 14 of under 2,000. The proposal is, therefore, to exclude from the operation of the Bill a large number of towns with extremely small populations, and which, by the deliberate judgment of the House two years ago, have been included in the county system for all purposes, whilst at the same time leaving within the operation of the measure a large number of towns of infinitely more importance in point of population. There are no less than 34 sanitary districts with a population of over 20,000, and these are not touched by the Amendment. I wish briefly to call attention to the extraordinary anomaly that will be produced in every county if the Amendment be carried. In Glamorgan, for instance, I find there are Local Government districts with populations of 33,000, 48,000, and 55,000 respectively. These would be included within the operation of the Bill. On the other hand, there are two boroughs with populations of less than 5,000, which, under the Amendment, would be excluded from its operation. Almost as great anomalies would be produced in every county in England and Wales. This Amendment, if carried, will be taken as a precedent in the future for excluding the non-county boroughs from almost every new proposal giving fresh powers to the County

Councils. Everyone familiar with the working of the County Councils must admit that the concession made two years ago by the Government in excluding the large boroughs from the county system has been a very serious blow to the administration of county government, and has crippled it to a very considerable extent by taking out of counties like Lancashire a large number of their most important towns. I trust the Government are not prepared to carry that principle further. There is no danger of the boroughs being unfairly treated. We are always anxious to get as many representatives of the boroughs on the County Councils as possible, and under Clause 4 of this Bill the boroughs will always be very largely represented on the Allotments Committee of the Council. I beg to propose the Amendment of which I have given notice.

Amendment proposed to the proposed Amendment,

To leave out the words "borough as defined by 'The Municipal Corporations Act, 1882,'" and insert the words "county borough as defined by 'The Local Government Act, 1888.'" —(*Mr. Hobhouse.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment."

MR. H. GARDNER (*Essex, Saffron Walden*): As a Member representing a county constituency in which there is one very small borough, I wish to support the original Amendment. If you exclude municipalities from this Bill, it seems to me you will carry out the principle that the people who live in the localities should be called upon to deal with matters which affect the localities. I know I am speaking the opinion of my constituents when I say they heartily support this proposition to exclude the municipalities for the operation of the clause.

MR. WYNDHAM (*Dover*): As a Representative of one of the boroughs which at present are included in this Bill, I wish most earnestly to press on the attention of the Government the extreme irritation that will be caused should the measure become law in its present form. The hon. Member for East Somerset (*Mr. Hobhouse*) has founded his argument mainly on the

population of the different boroughs. It seems to me that, besides population, he ought also to look at the prestige of and the good work done in the past by Municipal Authorities. This is by no means a Party question. It seems to me to be as fully a Conservative as a Liberal policy to support institutions which have been in existence for a long time and have carried out the duties imposed upon them in an efficient and satisfactory manner.

MR. JESSE COLLINGS (*Birmingham, Bordesley*): Hon. Members who oppose this clause argue as if it would interfere with the working of our Municipal Bodies. As I understand it, it goes no farther than to establish a Court of Appeal in case Local Authorities do not endeavour to carry out the Act. If the work of the County Councils is to be limited to the subjects which the hon. Member for Saffron Walden (*Mr. H. Gardner*) seems to suggest, namely, only those matters which affect the whole county, I think the County Councils will have very little work to do. I quite concur in the suggestion that the self-contained municipalities should not be included in the clause. I would point out, however, that the proposition contained in the clause is an advance on real municipal life. The hon. Member for Islington (*Sir A. Rollit*) admitted that there must be a Court of Appeal even for Municipal Bodies on certain matters. The proposal now is that, instead of having that appeal to a Central Body, we should have it to a Local Body. That is decentralisation, and follows, as I contend, strictly municipal lines. If the Amendment be carried, the result will be that in large districts, with populations of 10,000, 15,000, or 20,000, the agricultural labourers will have a right of appeal if the authorities refuse to put the measure in operation, whilst in districts with populations of, perhaps, 3,000, 4,000, or 5,000, the labourers will be able to obtain no benefit whatever under the Bill if the Local Authorities refuse to Act. As to the opposition to the proposal to give this work to the County Councils, I would remind the House that we have been crying out continually, "What are we going to give the County Councils to do?" For my own part, I cannot fancy that the County Council would be the

most effectual Court of Appeal in the small rural boroughs; but what I mainly look to is the supply of allotments to the agricultural labourers. If the Amendment be carried, and if all these small boroughs—many of them not larger than mere agricultural villages—are to choose whether or not they are to put the Act in force, the labourers who live in them and who, although a minority, are a large minority, will derive no benefit from this legislation. Therefore, while there is ample ground on municipal lines for excluding the larger boroughs which are self contained, and are properly represented in the Town Councils, there is every reason on the principles of municipal government why the small boroughs should have a right of appeal to the County Councils for the districts of which their localities form part, though an exceedingly small part as compared with the county areas themselves. Therefore, in the interests of the labourers who would have no benefit under the Act if the Government decline as they are doing to take action—because I know of several cases in which action has been indefinitely postponed—I say they might as well have no Allotments Act at all as be denied the right of appeal. Where the Act is carried out there is no hardship, because, if the Local Authorities carry out the Act, no appeal is necessary; but will anyone say that if they decline to put the Act in force these poor men should have no means of ensuring that it should be enforced?

MR. ROWNTREE (Scarborough): I would suggest that we are now discussing a larger question than would at first sight appear. Two hon. Members who have spoken in favour of this proposal from this side of the House have suggested a feature in the municipal government of the smaller towns which I think will surprise the residents in those places when they see the suggestion in print to-morrow morning. I understood one hon. Gentleman to say that in order to promote the harmonious municipal life of the counties, the municipal life of the towns should be merged and sunk in the counties. I ask, is that proposal one which at all follows the lines of municipal life as it now exists among us? It appears to me that the proposal is that in every Act of

*Mr. Jesse Collings*

Parliament which confers a possible benefit on the residents in the towns there ought to be an appeal to the County Council; that in the case of Free Libraries where a Free Library is refused by the ratepayers there ought to be, according to the argument we have heard, an appeal to the County Council, and that the same principle should apply in the case of baths and wash-houses and other establishments of a like kind, which are not at present under the initiative of the Corporations. I trust the Committee will pause before sanctioning such a suggestion as this. To my mind, the reasonable view of this matter is that the provisions in relation to this subject, as they appear in this Bill, are simply attributable to a mistake in the drafting of the measure, and that it was certainly not intended by Her Majesty's Government that they should bear the construction put upon them; but this, I think, will be seen if hon. Members have regard to the discussions that have previously taken place on this matter. There has not been a single charge made against any Municipality in reference to this question, and I am glad to see that the right hon. Gentleman the President of the Local Government Board affirms this. Surely, then, we have a right to ask that some strong case should be made out for the new legislation now proposed. I claim that, in fairness to the boroughs we represent and to the Governing Bodies of the counties, this question ought to have been introduced in a very different manner, while in the discussion on the Second Reading of the Bill not a word was said regarding this proposal. Perhaps some of us are to blame for this, but it never entered my mind to suppose that the Bill intended to set up an appeal from the Corporations to the County Councils. I thought the Bill went completely in a contrary direction, and never supposed it contained provisions of this nature. The hon. Gentleman the Member for Wiltshire stated that the failure of the Allotments Act has been due to the want of a Court of Appeal from the Boards of Guardians, and the President of the Local Government Board said, in speaking on the Second Reading, that an appeal to the County Councils was justifiable only on the ground that that body was elected on

a broad franchise, which the Sanitary Authority was not. Consequently, both the right hon. Gentleman and the hon. Member I have quoted grounded the whole of their case on the special circumstances of the difference between the franchise on which Boards of Guardians and County Councils were elected. Now, S'r, I would venture to ask, is it conceivable that a measure which is viewed with great apprehension on the part of the boroughs should work well? We are abolishing dual ownership in Ireland because of the friction it creates between landlord and tenant, and to propose a dual arrangement between the Borough Authorities and County Councils is to propose a scheme which I do not think would work, and which I cannot but regard as a most extraordinary one. I think that in every way this is a most undesirable proposition, and I trust that Her Majesty's Government do not intend seriously to press it upon us. No case whatever has, in my opinion, been made out for so great a change, and I trust the Committee will seriously pause before anything is done in the direction proposed.

\*(4.14.) MR. WHARTON (Ripon): I think we are bound to recognise the non-Party tone of the hon. Member who has moved the Amendment, and I must say that, in my judgment, this is a non-Party question. All we are anxious to do is to advance a mode of acquiring allotments in a reasonable and proper way. It seems to me that, with regard to an appeal from the Municipal Borough Authorities, that is an entirely new question, and might well be deferred until the County Councils themselves have had the opportunity of discussing the view they may take of it. As far as I know, the question is one which has never yet been submitted to the County Councils for their opinion, and I should be only too glad if the question were deferred until that opinion can be taken. Another point on which I feel strongly is that the proposal is one which may possibly give rise to a considerable amount of friction. Though the County Council over which I preside consists of various component parts, it works in the most harmonious manner. Many of the Members come from the large boroughs, being Town Councillors. But I cannot help fearing

that if this proposal were carried out, it would lead to friction, where harmony now prevails, and I respectfully urge the Government to pause before proceeding further. I believe the feeling of the municipal boroughs is unanimously against the proposed Court of Appeal; and I believe the Government would certainly not wish to disregard the opinion of the large municipal boroughs. In view of the friction that would be created, and in view of the fact that the matter has not been submitted to the County Councillors themselves, I would ask the Government to consider the representations that have been made.

\*(4.16.) MR. RITCHIE: My hon. Friend the Member for the West Riding has had so much experience in connection with the administration of county affairs, and is one who always forms a judgment well deserving consideration on all matters on which he addresses the House, that I am sure his appeal must naturally have very great weight with the Government. Certainly it is the very last thing to be desired that any action of ours should create any friction between the members for the boroughs and the Representatives of the rural parts of the counties on the County Councils. So far as our information goes, we have every reason to believe that these two elements on the County Councils at present work harmoniously and agreeably; and certainly it would be a matter of great regret to us if we disturbed by our action that state of things. The Government are entirely at one with hon. Members in their appreciation of the manner in which Municipal Corporations have fulfilled their duties, and I think the fact that the Government took the pattern of the Municipal Corporation as the ground work of their Local Government Reform, is sufficient guarantee that the proposals of the Government cannot be, and are not, intended, to use the word of an hon. Member opposite, to affront the Municipal Corporations. The object the Government had in applying this Bill to the towns situated in the counties was to secure a regular and organised administration throughout the country, upon lines similar to those which we hoped would be adopted for all matters in which town and country are concerned. We desire to transfer to an

elective body, on which all the Local Authorities within the county would be represented, the powers which are at present in the hands of the Central Department. The main object of the Local Government Act was decentralisation. As the House is aware, boroughs in the exercise of the powers conferred upon them are not altogether independent. If they fail in the performance of their duties, the Local Government Board can apply to the High Court for a *mandamus* compelling them to fulfil those duties. It is perfectly certain that the Local Government Board is not the authority to determine appeals, and we thought the County Council was exactly the kind of body to discharge that duty. But it is perfectly obvious, from what has taken place to-day, that this proposal is regarded with the greatest amount of jealousy by the Municipal Corporations, and the objection is largely supported by representatives of the rural parts of the counties on the County Councils. It is a view which, obviously, the Government cannot disregard. I think what has transpired inflicts a serious blow on the whole plan of Local Self-Government in this country. While I acknowledge, so far as this very question is concerned, that it stands on a somewhat different footing to other matters which the House might possibly have to consider in connection with Local administration and county administration, yet, by the House assenting to the proposal now before the Committee, I feel that it will do much to weaken the hands of the Government in transferring to the County Councils the various powers and duties which at one time they proposed or hoped to transfer. My hon. Friend who has moved an Amendment to the Amendment will have gathered that his proposal is one not likely to find acceptance. I would represent to him, therefore, the advisability of withdrawing his Amendment, and allowing the Committee to accept the Amendment proposed by the hon. Member for Dewsbury. I do not wish to conceal that I am suggesting something which I greatly regret. But I hope when the County Councils have been longer in existence, and when the administration of the powers they possess has created more confidence in

*Mr Ritchie*

them, the feeling of the municipalities will change. After the expression of opinion from all parts of the House, I think my hon. Friend would do well to withdraw his Amendment and to allow the Amendment of the hon. Member for Dewsbury to pass.

\*(4.25.) SIR U. KAY-SHUTTLEWORTH (Lancashire, Clitheroe): The right hon. Gentleman has said that by the adoption of the Amendment of the hon. Member for Dewsbury a serious blow will be dealt to Local Self Government in this country; but I do not think the fault, if fault it be, is to be attributed to the step which the right hon. Gentleman is now taking; rather I think it is due to the form of his Bill to establish a Court of Appeal. Although in the marginal note to the clause the word "appeal" is used, I should say that the power which the Bill gives the County Council in certain circumstances is the power to over-ride the decision of the Local Authorities. That is rather more than an appeal. The Bill, in its original form, was to make the County Council the Court of Appeal in the event of the Local Authority not carrying out the Act; but the Amendment which the right hon. Gentleman has on the Paper proposes to give the County Council power to over-ride the decision of the borough, and it is itself to carry out the decision. Nobody will regard me as unwatchful of any attempt by the boroughs to diminish the power and authority of the County Councils. In Committee, on the Local Government Bill, I endeavoured to resist, as far as possible, what seemed to be encroachments on the rights conferred upon them. Yet I join in the appeal to my hon. Friend the Member for East Somerset not to press this point. After all it is a small matter. Questions may arise on which it will be necessary to maintain the powers and rights of the County Councils. I doubt whether this is a matter sufficiently large to be worth fighting for. County Councils, I think, do not feel strongly on this point. It is important that borough and county members of County Councils should continue to work well together, as happily they do, as the hon. Member for Ripon has explained. There is some danger, if a clause of this kind is passed, of causing friction between the county and the borough members in reference to small matters. To my

mind this Bill is scarcely of the slightest importance. I do not think it will have much effect, and I certainly do not think that in bringing in County Councils to over-ride the decisions of the boroughs in respect to these allotments you would accomplish anything at all. I would join in the appeal to the hon. Member for East Somerset not to press his Amendment to the Amendment.

\*(4.31.) VISCOUNT EBRINGTON (Devon, Tavistock): I desire to point out the extraordinary state of things which will result in some counties if the Amendment is accepted as it stands. The smallest municipality will be free from appeal to the County Council, while the largest Local Board district will still be subject to appeal. In my own County of Devonshire, Torquay, which has a population of something like 40,000, is under a Local Board, and if the Amendment is accepted, there will be on the question of allotments an appeal from the Local Board to the County Council. The same thing will happen at Stonehouse, which has a considerable urban population: and, on the other hand, there is in another part of the same county a small municipality which is joined with seven other parishes to make up a sufficient area for the election of a County Councillor, and that municipality will be free from appeal. I venture to submit to the right hon. Gentleman at the head of the Local Government Board that if he accepts the Amendment of the hon. Member for Dewsbury (Mr. Oldroyd), he ought to extend it to places which have urban districts under Local Boards. I would further suggest to the right hon. Gentleman that the operation of the Amendment should be limited in both cases to places with a population of 10,000 and upwards.

(4.35.) MR. LLEWELLYN (Somerset, N.): I shall feel inclined to support the Amendment of the hon. Member for East Somerset if it is pressed to a Division. Some of the larger municipalities, no doubt, could be trusted—perhaps better than the County Councils—to give an opinion in these matters, but, under the Amendment of the hon. Member for Dewsbury, it seems to me that some of the smaller boroughs would refuse to listen to the demands of the labourers, who would be absolutely without appeal

at all. Under the Amendment large Local Boards, representing a population of 17,000, could be compelled to give the labourers allotments, whilst small municipalities, representing no more than 2,000 people, could ride rough-shod over the petitioners.

\*(4.37.) SIR WALTER FOSTER (Derby, Ilkeston): I think that in discussing this matter we ought to remember that the Franchise is very different in Local Board districts and municipal districts. We regard the whole of the difficulty that has arisen to-day as due to the fact that the Government have not carried out their promise to give us District Councils. Until we have such bodies the Allotments Act will never be administered to the satisfaction of the labourers; but as to the Amendments before us, it must be borne in mind that, in the case of a municipality, if a Town Councillor does not respond to the wishes of the labourers, though they be a small minority in the constituency, they have the means, at election time, of testifying their disapproval of his conduct by their votes—and the desires of a minority, such as these labourers, are very likely to be supported by the bulk of the electors. The case of Torquay has been quoted, but I protest against singling out an instance of a town which has been so backward that, although it has 40,000 inhabitants, it has not yet obtained a charter. Take an instance, in Warwickshire, there we have three boroughs in close proximity—Coventry, Warwick, and Leamington. Two old boroughs and a modern one. Why should Coventry, as a county borough, be independent, but the ancient borough of Warwick and the modern borough of Leamington be made subservient to the County Council? Is there any reason why there should be an appeal against their decision in this matter? I do not think so, but, on the contrary, I think that the more responsibility you place on the shoulders of such municipalities the better will they do their work. It is because I believe that small boroughs are able to do their work well, and that, under the pressure of public opinion, they will do it well, that I support the Motion of the hon. Member for Dewsbury. The boroughs, as has been shown in the course of this Debate, have responded very satisfactorily to

the demands made upon them by labourers under the Allotments Act—much more satisfactorily than the Rural Sanitary Authorities—and that being the case, I think they should be saved from the degrading review of the County Councils.

**\*(4.41.) THE FIRST LORD OF THE TREASURY** (Mr. W. H. SMITH, Strand, Westminster): I hope that, as the Government have stated their intention to accept the proposal of the hon. Member for Dewsbury, the hon. Member for East Somerset will be content to withdraw his Amendment. On the whole that seems to be the course which will best forward the interests of allotments, and the Committee may proceed then to make some further progress with the Bill.

**\*(4.42.) MR. HOBHOUSE:** After the appeal made to me by both Front Benches, I should not be justified in putting the House to the trouble of a Division; but in withdrawing my Amendment I would ask the Government whether, at some future stage of the Bill, they could not take some step such as was suggested by my noble Friend (Lord Ebrington), for classifying the Local Authorities in a more satisfactory manner.

Amendment, by leave, withdrawn.

Original Amendment again proposed.

**\*(4.43.) MR. CHANNING** (Northampton, E.): I attach some importance to the proposal made by my noble Friend the Member for Devonshire as to Local Boards, and I would suggest to the Government that as the Bill is confessedly a temporary measure it should be confined to rural parishes. I can bear testimony from experience in my own Division as to the fitness of Local Boards to deal with the Act.

Amendment put, and agreed to.

**\*(4.44.) SIR WALTER FOSTER:** I beg to move the Amendment standing on the Paper in my name, namely Clause 2, Page 1, line 12, leave out "six," and insert "two." On the Second Reading of the Bill, I pointed out that one of the difficulties we experienced in obtaining a proper administration of the Act, was that labourers in many parts of the country were afraid to take the initial step for obtaining allotments, lest they should offend the members of the Rural Sanitary Authorities, frequently

*Sir Walter Foster*

including, as those bodies did, their own employers. It is surprising on looking down the list of such Public Bodies as have not put the Act in motion to find what a large proportion of them are Rural Sanitary Authorities. The farmers are, in many cases, opposed to their labourers having allotments, and the labourers are afraid very often to go before the body largely composed of the farmers, to request them to put the Act in force. Well, if it is hard for six labourers to sign the original application, it will be doubly hard for them to sign an appeal against the Local Authority. The labourer ought to be able to trust not to generosity or to patronage but to his rights under the law, and he ought to be able to enforce those rights without being obliged to get five other persons to support him. I move my Amendment with the object of limiting, as far as possible, the odium which will necessarily attach to those labourers who seek to put the law into force in opposition to an unwilling authority.

Amendment proposed, in page 1, line 12, to leave out the word "six," and insert the word "two."—(*Sir Walter Foster.*)

Question proposed, "That the word 'six' stand part of the Clause."

**\*(4.48.) THE SECRETARY TO THE LOCAL GOVERNMENT BOARD** (Mr. LONG, Wilts, Devizes): The Government cannot accept the hon. Member's Amendment which, I may say, I scarcely think he is serious in moving. It is absurd in these days to talk about labourers being afraid of enforcing their rights or of signing a requisition. It is a remarkable fact that it is only hon. Members opposite to whom labourers have expressed any fear that they will run a risk of losing their places or incurring any odium by signing such a requisition. I do not think that the County Councils ought to be set in motion under this measure unless there is a reasonable representation on the part of the district that there has been a failure to take action on the part of the Local Authorities. The principle here is the same as that in the original Act, and to that I am afraid we must adhere.

**\*(4.53.) MR. CHANNING:** I give the hon. Gentleman full credit for sincerity when he says he is not aware there

is any sense of intimidation amongst the labourers of the country.

\*MR. LONG: I did not say that.

\*MR. CHANNING: Amongst those with whom he is personally acquainted. If hon. Members opposite have not received communications from labourers expressing the fear they have to sign requisitions, it only shows that the labourers are unwilling to explain their grievances to Conservative Representatives. What is the position of the men who appeal in this case? They have already been, by the action of the Government, brought before the Guardians, and received a refusal from the Guardians. The people who are interested in getting allotments have made themselves obnoxious to a powerful body of men on whom very generally they depend for a livelihood, and, therefore, I submit my hon. Friend is right in suggesting that a smaller number of persons should be entitled to make this representation to the County Council. If the Government do not yield on this point, I trust my hon. Friend will press his Amendment to a Division.

\*(4.56.) CAPTAIN VERNEY (Bucks, N.): The Secretary to the Local Government Board (Mr. Long) has not given us any reason why the number should be "six;" he has only said he does not see any reason why the number should be "two." There would be no difficulty in many parishes in getting six men to sign, but three or four of the six would assuredly suffer for the action they had taken. This is a small point after all, one in which the Government might very well give way. If there is *prima facie* evidence by two people, surely that is enough.

\*(4.58.) MR. COBB (Warwick, S.E., Rugby): I should like to put a practical point before the President of the Local Government Board. The hon. Member for the Ilkeston Division (Sir W. Foster) thinks, as I do, there will be more difficulty in getting six signatures to a representation complaining of the action of the Sanitary Authorities than there would be in the original case—in getting six ratepayers merely to sign a representation that allotments are required. I admit that, in many cases, there would be no difficulty in getting six men to sign a re-

presentation to the Sanitary Authority that allotments are required. That is a very simple matter, but it is a totally different matter when you come to complain of the action of the authority. I think we made a mistake in the original Allotments Act in not reducing the number. When I moved an Instruction to the Committee on the Bill last Friday, I called attention to the large number of very small parishes, and I was told by Gentlemen opposite that it would be an insult to small parishes to join them to larger parishes. It is quite clear that, in a great number of parishes, it is impossible to get six ratepayers to sign a representation to the Sanitary Authority, because there are not six ratepayers in the parish. The Secretary to the Local Government Board laughs, but from a Return which one of the officials of the Local Government Board was good enough to provide me with. I find that in 1881 there were 331 parishes in England and Wales, the population of which did not exceed 25, and it may fairly be assumed that only one-fourth or one-fifth of these were ratepayers. There were 852 parishes in which the population was under 50, that means where there were only 12 ratepayers, and surely every one can see there must be considerable difficulty where there are only 12, and still more where there are only six, ratepayers in getting six ratepayers to sign a representation, firstly that they require allotments, and secondly complaining of the Sanitary Authority for not providing them with allotments. If there is only one man who requires an allotment, surely it is the intention of the Allotment Act that he should have just as great a right to have the Act put in force as a large number of men.

(5.5.) The Committee divided:—Ayes 222; Noes 160.—(Div. List, No. 72.)

Amendment proposed, after "and" in line 16, insert "suitable in quality and position."—(*Mr. Channing.*)

Amendment agreed to.

\*CAPTAIN VERNEY: I would ask the Government to accept a verbal Amendment to line 17. As the clause reads "such persons may petition the County Council;" well, of course they can do this, any person may petition the County



Council, and it does not require an Act of Parliament to declare that. I submit that the word "if" should be inserted after the word allotment; "if such persons petition the County Council" and so on to the end of the clause "the County Council shall proceed, etc., as hereinafter mentioned." It makes it mandatory instead of permissive.

Amendment proposed, line 17, after "such" insert "if."

Question put, and House cleared.

DR. TANNER (Cork Co., Mid): I beg to say I would not have challenged a Division but for the discourtesy of Members of the Government, who refused to make any answer when the Amendment was moved.

The CHAIRMAN: Order, order!

Amendment negatived.

(5.20.) MR. F. S. STEVENSON (Suffolk, Eye): On behalf of the right hon. Member for Derby I desire to move the omission of the words from "on," in line 22, to "petition," in line 23.

\*MR. RITCHIE: The hon. Member for East Somerset (Mr. Hobhouse) has given notice of a similar Amendment, the omission of these and other words, for the purpose of making the clause apply so that the County Council shall act at once; perhaps it would be better to allow the hon. Member for East Somerset to move his Amendment, which embraces the omission the right hon. Gentleman desires to make, and then when we arrive at the proper point the consequent Amendment to line 23 may be moved.

MR. F. S. STEVENSON: This Amendment stands in intimate relation to the proposed Amendment to line 23 to insert the words "within two months after the receipt of such petition." I think it best to move the Amendment, that the Government may express their intention as to the course they will take.

\*MR. RITCHIE: As a matter of convenience the hon. Member may raise his Amendment on the Motion to omit these and other words of which the hon. Member for East Somerset has given notice. The omission of words is the preliminary Amendment.

\*MR. COBB: Do I understand that if the hon. Member for East Somerset moves his Amendment my hon. Friend (Mr. Stevenson) can move the insertion

*Captain Verney*

of the words suggested by the right hon. Member for Derby? It will be observed that the Amendment of the hon. Member for Somerset goes to the omission of words beyond the omission now proposed.

\*MR. RITCHIE: The operative part of the clause follows, but first it is a question of the omission of the words. If the Amendment of the hon. Member for East Somerset is accepted these words disappear from the clause, and then will follow the question of inserting other words, as proposed by the right hon. Gentleman the Member for Derby.

\*MR. COBB: But the result will be to weaken the effect of the second Amendment.

\*(5.25.) MR. RITCHIE: The word proposed to be inserted should the Committee accept the omission would be "forthwith," having a more immediate effect than the words "within two months." The object of the Amendment as I understand is to make the operation of the clause more immediate, and that is also the object of the hon. Member for East Somerset, and either hon. Gentleman can carry out that object by moving the insertion of words.

MR. F. S. STEVENSON: There are two objections to that course, and both on the same ground—that the proposed words are vague. There is something explicit about the words "within two months," but there is a vagueness about the word "forthwith," and that also attaches to the phrase "on *prima facie* evidence being given," which occurs both in the body of the Bill and in the Amendment of the hon. Member for East Somerset.

MR. RITCHIE: These words the hon. Member will move to strike out; it is then for the hon. Member to move the insertion of such words as he may desire.

MR. F. S. STEVENSON: I think, to prevent subsequent misapprehension, I had better move the Amendment now.

THE CHAIRMAN: The hon. Member can absolutely move the same Amendment subsequently; he is in no way prevented from carrying out his object by postponing it.

\*MR. CHANNING: Will not that exclude the words "shall cause a local inquiry into the circumstances"?

THE CHAIRMAN: No; the proposition in the Amendment to line 32 is that there shall be a reference to the Standing Committee.

\*MR. HOBHOUSE: The object of my Amendment is the same with that of the right hon. Gentleman the Member for Derby—to accelerate procedure. Under the Bill as it stands the petition must first be considered by the Council as a whole, and then referred by order to the Committee; but if my Amendment is adopted, then, as a matter of course, and without delay, it will go first to the Standing Committee, and it will be obvious this will be a saving of time. The Standing Committee will be called together with more ease and much more quickly than the Council itself.

Amendment proposed, in line 22, to leave out from the word "Council" to the word "and," in line 24.—(*Mr. Hobhouse.*)

Amendment agreed to.

Consequential Amendment in line 24, —(*Mr. Hobhouse.*)—agreed to.

Amendment proposed, in page 1, line 26, to leave out from beginning of line to end of Clause, and insert—

"Shall pass a Resolution to that effect, and thereupon the powers and duties of the Sanitary Authority under the principal Act, so far as regards that district or parish, shall be transferred from the Sanitary Authority to the County Council, and the County Council, in substitution for the Sanitary Authority, shall proceed to acquire land in accordance with the principal Act, and otherwise execute that Act in the said district or parish.

Provided that this section shall not affect the property in, or any powers or duties of the Sanitary Authority in relation to, any land which before the passing of the said Resolution was acquired by the Sanitary Authority under the principal Act."—(*Mr. Ritchie.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

\*(5.30.) MR. COBB: I do not rise to oppose this but simply to ask a question. I rather gathered from the right hon. Gentleman on Friday that he differed from me in the opinion I expressed that the effect of the operation of the Bill would be, in certain cases, to oust the authority of the Sanitary Authority and substitute that of the County Council for administering all the powers under the

Act of 1887. I am not quite sure of the meaning and intention.

\*MR. RITCHIE: The hon. Member is, no doubt, quite right as to the powers with which the application under this Bill is concerned, but should there be any other allotments they would still remain under the administration of the Local Authority. The County Council may, if they think fit, re-transfer the power.

\*MR. CHANNING: There is an Amendment standing in the name of the hon. Member for Mid Devon (*Mr. Seale-Hayne*) in relation to this provision which I should like to move as an Amendment to the Amendment now before the Committee, that is to strike out the word from "provided" to the end of the Amendment.

THE CHAIRMAN: First, we have to decide on the omission of the words; the Amendment will come in on the words proposed to be inserted.

Question put, and negatived.

Question proposed, "That those words be there inserted."

\*(5.33.) MR. STEPHENS (*Middlesex, Hornsey*): I have an Amendment to propose which does not, as an alternative course, interfere at all with the Act of 1887, or affect the Bill so far as it is an Appeal Bill. It is only directed to the new face placed upon the Bill by the right hon. Gentleman, when the Bill becomes, as I think I can show, an Administrative Bill of enormous dimensions under circumstances full of difficulty. Originally it was contemplated that this appeal from the Sanitary Authority should be heard, and that the matter should then, if desirable, be referred back to the Sanitary Authority as the Executive. In fact, there would be communications passing, during which the Sanitary Authority under pressure would have time to re-consider its decision. I feel there is likely to be, under this provision, a very large transference of action under the Act of 1887 to County Councils, because, rightly or wrongly, and probably because of much that has been said about them, Rural Sanitary Authorities are heartily sick of the Act. Now, the Amendment must be read in the light of Section 4 of the Bill, and then it will be seen that the County Council is to keep separate accounts, and, in fact, to have

all the machinery for administration of the Allotments Act, and to create a vast bureau nominally directed by the Standing Committee of the Council, but only nominally, because it cannot be said that the County Council will know anything about allotments in, it may be, 200 or 300 parishes throughout the country. Therefore, although the Standing Committee will be supposed to bear the brunt of responsibility, really you are going to create under the Act an enormous agency of inspectors, lawyers, valuers, clerks, a long, tortuous, cumbersome machinery, through which I think very little of the wishes of the inhabitants will filter. It must be the view of most hon. Members you are going to create on an immense scale a system of State landlordism or County Council landlordism throughout the country, which, I think the Committee will agree, is uncalled for and unnecessary. The County Council will have to manage allotments, make rules and enforce them, collect rents, and when allotments fall out of occupation the County Council will become occupier. All this will be diffused throughout the country in relation to matters often of very trifling value. I feel very seriously that, by refusing to the inhabitants of a district the management and responsibility to which the people are entitled in reference to a purely local matter, you will keep up a seething mass of dissatisfaction. I know it is said you are to proceed by way of local inquiry, but I know something of these local inquiries. An Inspector goes down to a place altogether strange to him, and he has to collect evidence. The agricultural labourers to whom this gentleman will appear in the guise of a lawyer hold aloof in suspicion, and will have nothing to do with him; he then makes acquaintance with others in the district, is fed mentally and bodily, and returns to concoct a Report for the edification of the County Council. How natural is the alternative! It is only to give the inhabitants of the parish power to agree among themselves. And I believe that such a provision would be operative. I have had a good deal to do with allotments, and I say that this question can only be dealt with properly by those who live in the parish, and who, of course, know whether the land to be utilised for the purpose is suitable or

*Mr. Stephens*

not, who know with whom arrangements can be made, and whom it is useless to approach for the purpose. No mere local inquiry by a Committee appointed by the County Council could extract the necessary information. And, again, the inhabitants of a parish have many advantages for dealing themselves with such a matter. Why, then, cannot they be allowed to do it, with the restriction, of course, that what is done shall be voluntary. I agree that nothing could be more unwise than to give parishes compulsory powers which they are entirely unfit to exercise. Such a policy could only give rise to great difficulties. But I believe there are good prospects of the inhabitants agreeing among themselves, if only the President of the Local Government Board exercises the pressure which he will be enabled to, and I am confident that the result will be to secure general co-operation among the villagers. Supposing the parishes are small, you have good security for the good management of the allotments in the fact that it becomes almost a personal and private affair in which everyone is interested. And suppose that you have only two or three tiny allotments, is it not less rational, is it not less endurable, to put in force the cumbersome machinery which the County Council will employ? I believe that the machinery I have to suggest will prove one of the most successful forms of Local Government. I hold that, in the first place, if you appoint a Committee for a specific purpose you get the work done a thousand times better than if you appoint a body for general purposes and for a definite period; because, if you find your Committee neglecting its duty, or going outside the limits of the reference to it, you can promptly bring it to book, whereas if your general body is elected for a year, you may have to wait months before you can deal with it. Under the proposal of this Bill you will not enjoy the advantage of local knowledge, nor will the body you appoint be in harmony with the inhabitants of the village. How, then, can you expect the plan to work successfully? My personal experience in the matter of allotments has shown me how very Conservative men are in these matters. Some years ago a body of men applied to

me for land for allotment purposes, and I lent it on the sole condition that they should manage it themselves by a committee of allotment holders and allotment workers. For two years I never went near the land; but when at last I did go I found everything in most satisfactory order. One entrance gate was locked, and near the other was posted a notice, which I commend to hon. Members opposite, that "Rents is now due, and must be paid according to Rule 20, or the lots will be forfeited." I found that the plots had been admirably managed by the committee of holders and workers. Now, I think we must all confess that the Act of 1887 has not proved a success. I am sure we are all anxious, both on this side of the House as well as on the opposite side, that this Bill should be a success. We are anxious that its provisions should be taken advantage of; we are desirous to take this opportunity of retrieving the mistake made in 1887. I do not believe that the Government will prevent our utilising the opportunity for so doing. I wish this Bill to meet with general approval throughout the country. I wish the Government to avoid the discredit and danger which must follow from "failure No. 2." I wish the Bill to be on lines which will accord with the general sense of the country. And having this desire I appeal to the Government to accept the suggestions I have put on the Paper.

Amendment proposed to the proposed Amendment, after the first word "authority," to insert the words "in an urban district."—(*Mr. Stephens.*)

Question proposed, "That those words be there inserted in the proposed Amendment."

(5.47.) MR. QUILTER (Suffolk, Sudbury): May I, as a point of order, ask you, Sir, what we are discussing now? I was under the impression that we had not yet reached the Amendment of the hon. Member for Hornsey.

MR. STEPHENS: I asked the indulgence of the House to make the remarks I did because the Amendment of the right hon. Gentleman now under Debate is inconsistent with the Amendment which I have put down, and if the right hon. Gentleman's Amendment were passed it would be incompetent for me to move mine.

THE CHAIRMAN: I shall have to put to the Committee, as an Amendment to the proposed Amendment, the insertion after the word "authority," of the words "in an urban district."

\*(5.55.) MR. LONG: Nobody desires to question my hon. Friend's practical experience in allotment matters, or his *bond fide* desire to make this Bill satisfactory; but I do not think that he has shown to the House any reason for believing that the Act of 1887 has been a failure. When I find hon. Gentlemen opposite, who have distinguished themselves in connection with this subject by advocating the most extreme views as to the extension of the Local Government, cheering the hon. Member for Hornsey I am led to the conclusion that extremes are, indeed, meeting under this particular Bill. But while hon. Gentlemen opposite advocate the setting up a Parish Council, to be elected by ballot on the principle of one man one vote, and placing in their hands the control of all parochial affairs, my hon. Friend the Member for Hornsey makes a very different proposal. In his proposal there is no voting by ballot, no one man one vote, and the result of the adoption by the Committee of his suggestion would be, in my judgment, to seriously delay any advance and reform in the system of Parochial or Local Government; because, as the hon. Gentleman must know full well, one of the greatest difficulties in the way of reform exists in the complexity and number of existing areas, and of the powers they already hold, and the obligations they have already incurred. Now, my hon. Friend's proposal, if adopted, would have this extraordinary result: that it would, in the case of urban districts, transfer the power to the County Council; but in the case of rural districts it would set up a new authority on the old system of election, and would add a new authority to the sufficiently large number of authorities already existing. I contend that my hon. Friend has not given the House any reason to believe that a greater prospect of success attends his proposal than that of the Government, which does not add to the existing authorities, and proposes the same machinery for the urban and the rural districts. My hon. Friend has drawn a painful picture of the terrible expenditure incurred under the Act of 1887.

And when he says that all admit that Bill to be a failure I am not sure that he speaks for anybody but the hon. Member for Hornsey, at any rate on this side of the House; and I think my hon. Friend can safely leave hon. Members opposite to give expression to their own views. But to return to the question of cost. I should like to call the attention of the Committee to the fact that there are standing in the name of my hon. Friend certain Consequential Amendments; and I think the Committee, after hearing the remarks of my hon. Friend with reference to the cost of working the Act of 1887, will be astonished when they read the last of those consequential Amendments, whereby my hon. Friend proposes that the new authority—

“ Shall appoint and may remove at pleasure such officers and servants as shall be necessary for the business of the Committee, . . . and with the approval of the vestry may appoint reasonable salaries, wages, and allowances for such officers and servants.”

If the proposal of my hon. Friend is agreed to the result will be to set up new authorities with power to provide salaries and allowances for the officers whom they may appoint, and this might very well lead to increased expenditure. There are, I hold, sufficient Local Authorities already, and it would be unwise to add to their number. Therefore, the Government recommend the Committee to adhere to our proposal, and not to adopt the somewhat remarkable recommendations of my hon. Friend.

(6.4.) MR. WADDY (Lincolnshire, Brigg): I desire to support most heartily the proposal made by the hon. Member for Hornsey. I confess that, as a matter of order, I do not know the exact position in which we stand with regard to it, and so I will state broadly my opinions on this matter. I believe the Amendment before us deals with the urban districts, but I am more particularly concerned with the rural districts. I say distinctly that if the entire control of allotment matters is given to the County Councils they will have a great deal too much to do. Allotments should be regulated by committees appointed by the allottees themselves; and, therefore, although the Amendment put on the Paper by the hon. Member for Hornsey is not all we desire I shall support it as

*Mr. Long*

strongly as I can. I know that in the case of allotments in which a rev. friend of mine is interested they are governed by a committee appointed by the allottees themselves, with the vicar of the parish as chairman, and everything works admirably. Such committees have the local knowledge which is so valuable an element when allotment questions are under consideration. The fear that needless expenditure will be indulged in by such committees is groundless. At Stockton, near Rugby, where a system of the kind has been tried, a great success has been achieved. It has been said this afternoon that the Allotments Act is not an admitted failure. The Member for Devizes said the hon. Member for Hornsey was wrong when he declared it to be an admitted failure. No; the failure is not admitted, but it is a gross and notorious failure all the same; and if the hon. Member had used the word “notorious” instead of “admitted” he would have been strictly accurate. The acceptance of the present proposal would introduce a beneficial change, because it will convert a wretched *fiasco* into something like a benefit to the working classes.

\*(6.11.) MR. CHANNING: The situation at which we have arrived is a somewhat surprising one. The hon. Member for Hornsey is evidently giving the Government a last chance of obtaining salvation. I do not for a single moment suppose that he binds himself to every letter and every sentence of the Amendments he has on the Paper; I suppose, rather, that he is offering the Government a chance to carry out in connection with the rural districts the principle which we have this afternoon decided to apply to the urban districts, and to ensure that the allotments question is dealt with by a Committee possessing local knowledge. I admit several of the contentions of the hon. Member for Wiltshire, and I agree that a Committee constructed on the lines suggested by the hon. Member for Hornsey would hardly be strong enough to deal with the financial questions involved. But I would urge the Government to give further consideration to this matter, and to see if they cannot, on the Report stage, bring up a clause for the creation of a Local Authority for the purposes of allotments in small areas. Having

some knowledge of this question, I say that the Bill, if passed in its present form, will prove a mere *fiasco*, and will not achieve the objects which the Government have in view. I cannot support the Amendment in its present form; but I do urge the Government to apply to rural districts the principle which we have decided to apply to urban districts.

(6.15.) MR. COBB: I should like to know if the Government are willing to re-consider their decision in this matter. I am not going to discuss whether the Act of 1887 is or is not a failure. We have sufficiently discussed that point already, and we all have our own views upon it. It seems to me that the only difference between what I advocated on Friday last and the proposal of the hon. Member for Hornsey is one of name. He proposes to appoint a Committee which is to be elected by the Vestry. I know that there are objections to the mode of election by Vestry; but I venture to think that if the hon. Member's suggestion is accepted it will be necessary to elect the Parish Committee or Parish Council by ballot, and on the principle of one man one vote. The Secretary to the Local Government Board has suggested that a Parish Committee might incur expenses for offices. We shall want nothing of the kind, because in almost every village there is a schoolroom, partly maintained by the State, and these can be used for the purpose. I do not know if the hon. Member is aware that before the Bill of 1887 was brought in a proposal was made, in a Bill which I introduced, to appoint these very Committees, and that it was met by a promise on the part of the Government to deal with the question in a more satisfactory way. When the Bill was produced, however, it turned out that the Government thought Boards of Guardians to be more suitable authorities than Village Committees. The inhabitants of the villages hold a very different opinion. They prefer a Parish Council or a Local Committee. The hon. Member for Wiltshire has twitted us with giving up compulsory purchase. But I and my friends do not wish to abandon compulsory purchase; we leave that to the hon. Member for the Bordesley Division, who having for many years loudly advocated compulsory purchase as

essential in dealing with allotments and small holdings, omitted altogether the Compulsory Clauses in his Bill last Session, and gave evidence in the same direction before the Select Committee on Small Holdings. I join in the appeal of my hon. Friend to the Government to consider whether some agreement cannot be arrived at.

\*(6.21.) MR. RITCHIE: The Government cannot undertake anything in the direction the hon. Gentleman suggests. The same question was discussed on the proposed Instruction to the Committee, and the right hon. Member for Derby said—

“The Government might well flinch from accepting the proposal of the hon. Gentleman to set up a new authority in the parish for that particular purpose. If a new authority were set up it ought to be for other purposes. It would require great consideration, and, under the circumstances, he was not surprised at the Government declining to accept that portion of the proposal”

—the proposal which we are now discussing. The Government are now asked to embark in the creation of a new authority, and that in the face of the fact that hon. Members are not agreed as to what kind of authority it should be. I ask the Committee to consider the difficulty and complexity of the question we are asked to take up at this stage. It means practically the abandonment of the Bill. It may be a good Bill, or it may be a bad one. Hon. Members have different opinions on that point; but the Government think it a good Bill and much wanted. We are asked to set up that new authority, not for the purpose of managing the new allotments generally, but only those which shall be supplied by the County Councils on appeal. I cannot imagine that the Committee will ever consent to any such proposition as that of the hon. Member.

\*(6.23.) CAPTAIN VERNEY: The authority which the hon. Member for Hornsey proposes to establish is not altogether new; it is identical with that established under the Free Libraries Act. In many counties, and especially is it the case in North Buckinghamshire, the County Councils are largely composed of Guardians, in North Bucks two-thirds are Guardians, and the appeal would, therefore, be from Guardians to Guardians. I do not think that the

right hon. Gentleman realises the time which would be lost in taking action if his proposal is carried. At least, two years would be lost before a spade could be put into an allotment by the Twyford labourers, who have already waited three years. In the first place, the advertisement of action must be published in August or September; then the meeting cannot be held till December; then the Provisional Order can have no force until it is passed in this House in the next Session; and then at the succeeding Michaelmas a year's notice must be given to the tenant. And all this is supposing the proposal meets with no opposition, and that everybody is willing. Now we want a sharp and prompt remedy. The right hon. Gentleman has stated that the decision just come to by the House is a blow against Local Government. I say it is precisely the reverse. Whoever heard of one Elective Body appealing to another Elective Authority?

THE CHAIRMAN: Order, order! The hon. and gallant Member is scarcely speaking to the Amendment.

(6.27.) MR. HALLEY STEWART (Lincolnshire, Spalding): I hold that two divergent principles are embodied in the Amendment; in one case you transfer certain powers from Urban Authorities to the County Council, or from a lower to a higher authority, and in the other you transfer power from the County Council to a Parish Committee, or from a higher to a lower authority. I think we should have an opportunity of dividing on each of the principles. I am opposed to the transfer of the powers under the Act to County Councils, but in favour of those powers being given to the Parish Authorities.

(6.29.) MR. STEPHENS: The Act of 1887 only placed compulsory powers in the hands of the County Authority; and as a parish is not a County Authority, I do not propose to give the parish compulsory powers. There is the greatest possible difference between what I propose and the proposal of the hon. Member for the Rugby Division. I propose the ancient operative Executive Body of the parish—the oldest authority we have, and which has exercised these powers with success, and never failing in their use. As to the officers, I admit the unfortunate slip

*Captain Verney*

made in the Amendment to which the right hon. Gentleman alluded; but, of course, these officers will never be wanted; all the powers have been taken, and it is quite absurd to suppose that any expense will arise. It will be possible for this Body to administer the affairs of the parish without officers. That may be a grievance, but it is not one which will be felt by the ratepayers.

\*(4.46.) SIR WALTER FOSTER: I wish to draw the attention of the Committee to the position in which we stand. We have an Amendment of very wide range and great importance moved by the hon. Member opposite. That Amendment, as pointed out by the hon. Member for Spalding, raises two contradictory propositions. In view of the attitude taken by the Government towards the Amendment of the hon. Member and your suggestion, Sir, that we should be allowed to draw up an Amendment to avoid the difficulty, I beg to move, as that cannot be done in a moment, that you now report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir Walter Foster.*)

\*MR. RITCHIE: I hope the Committee will not assent to the proposal. We have been engaged now for a very long time in considering the matter, and the proposal of the hon. Gentleman, though apparently complicated, is in reality very simple. What he proposes is that the Urban Sanitary Authorities shall remain as the Bill has placed them; and, so far as the Rural Authorities are concerned, he proposes that when an appeal has been made to the County Council, and they decide that allotments shall be supplied, they shall go to the Vestry Committee appointed by the rural vote; but that the Committee shall have no power whatever of acquiring lands if they have to acquire them compulsorily. If this matter goes to a Division, you will divide on the question whether the County Council shall, by their Committee, acquire the allotments, or whether it shall be referred to the Parish Authority elected in the way the hon. Gentleman proposes, to carry out the behest of the County Council, but with no power of compulsory acquirement. I hope the Committee will now be allowed to come to a decision.

\***(6.40.) MR. CHANNING:** If I am in order, I would suggest the division of the Amendment, and the question which the right hon. Gentleman wishes to settle could at once be brought before the House. Will the hon. Member for Hornsey accept the following Amendment, to leave out the words after the word "authority" in the fourth line of the Amendment of the right hon. Gentleman, and insert after "authority" the last five lines of his own Amendment, beginning with the words "in a rural district to a Committee," and so on, down to the end of the latter? That would at once raise the question whether the Committee would consent to the creation in a rural sanitary district of a Local Committee for this purpose. It is a perfectly plain issue to put before the House. I do not see why we should delay one moment if the right hon. Gentleman and the Member for Hornsey will consent, and in this case I would suggest to my hon. Friend the Member for Ilkeston to withdraw his Motion. Then I would suggest that the question of the Urban Sanitary Authority could be dealt with in a reasonable form which would command general support.

**MR. STEPHENS:** I think the suggestion of the hon. Member is a perfectly reasonable one. It is quite obvious that the Urban Authorities stand upon a totally different footing. I beg to withdraw my Amendment.

**SIR WALTER FOSTER:** I beg to withdraw my Motion.

Motion, by leave, withdrawn.

Amendment to Amendment, by leave, withdrawn.

Another Amendment proposed to the proposed Amendment,

After the first word "authority," to leave out all the words to the end of the proposed Amendment, in order to add the words "in a rural district to a committee appointed by the inhabitants in vestry of such parish as herein-after provided, and the parish committee, in substitution for the sanitary authority, shall proceed to acquire land in accordance with the principal Act, and otherwise execute that Act in the said district or parish."—(*Mr. Channing.*)

Question put, "That the words proposed to be left out stand part of the proposed Amendment."

\***CAPTAIN VERNEY:** May I ask whether the right hon. Gentleman accepts and adopts my statement that if his Amendment is carried the labourer cannot get his spade into the land until next Michaelmas two years?

\***MR. RITCHIE:** Certainly not.

**MR. HALLEY STEWART:** I only wish to state the issue which is before the Committee. The right hon. Gentleman says we are going to divide on the question of whether or not compulsory powers shall be included. I have explained that in voting for the Amendment of the hon. Member for Hornsey I am voting against compulsory powers.

\***MR. RITCHIE:** I was dealing with the Amendment of the hon. Gentleman. Now we are dealing with a different proposition.

(6.40.) The Committee divided:—  
Ayes 223; Noes 146.—(Div. List, No. 73.)

Question proposed, "That those words be there inserted."

Debate arising.

It being after 10 minutes to Seven of the clock, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again upon Thursday.

CONTAGIOUS DISEASES (ANIMALS)  
(PLEURO-PNEUMONIA) BILL.—(No. 168.)

Order for Committee read.

**MR. F. S. STEVENSON:** As the measure is one in which hon. Members representing agricultural constituencies take considerable interest, I should be glad if Her Majesty's Government would give the House some assurance that it will be definitely proceeded with on a given day.

**DR. TANNER:** Last night we understood from the First Lord of the Treasury that this Bill would be taken as the first Order to-day.

\***MR. W. H. SMITH:** No.

**DR. TANNER:** I must ask the Government to give us some definite assurance which will really conduce to the progress of business.

**MR. J. COLLINGS:** May I ask the Government, looking at the urgency of the Allotments Bill and the slow progress we are making with it, whether they will continue it on an early day?

Committee deferred till Thursday.



## MESSAGE FROM THE LORDS.

That they communicate Copy of Fifth Report, &c., from the Select Committee appointed by their Lordships in the present Session of Parliament on the Sweating System, as desired by this House.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

## MOTION.

## LOCAL AUTHORITIES (ACQUISITION OF LAND).

MR. REID (Dumfries, &c.), rose, pursuant to notice, to move the following Resolution:—

"That, in the opinion of this House, a measure is urgently needed enabling Town Councils and County Councils in England and Scotland to acquire by agreement or compulsorily, on fair terms and by simple and inexpensive machinery, such land within or adjoining their several districts as may in their judgment be needed for the requirements of the inhabitants."

\*MR. SPEAKER, interposing, said: I am bound to point out to the hon. and learned Gentleman what I have had an opportunity of pointing out to him in private before, that the Motion which he proposes to introduce anticipates discussion of the subjects dealt with in two measures that are already before the House. I refer to the Bill standing in the name of the hon. Member for the Leith District—Local Authorities (Scotland) Acquisition of Lands—and to another standing in the name of the hon. Member for Forfar—Land Purchase and Division (Scotland). Although I am unwilling to put any impediment in the way of the hon. and learned Gentleman, I do not see how he can make any statement without infringing on the principles contained in those two measures. The allotments question is clearly debarred, and the question of town holdings in Scotland and the acquisition of land by Town Councils and County Councils in Scotland appears to be specially debarred by the two Bills I have referred to. If, however, the hon. and learned Gentle-

man can discover any means of escaping from the difficulty I shall be very glad.

MR. REID: On the point of order I desire to advert to the terms of my Motion. It is quite true that Bills are being constantly brought forward to confer powers for various purposes on Town Councils and County Councils in Scotland. My proposition is to move a Resolution which should enable them to use their own judgment in regard to the purposes for which they take land; or, in the words of the Motion,

"To acquire by agreement or compulsorily on fair terms and by simple and inexpensive machinery, such land within or adjoining their several districts as may in their judgment be needed for the requirements of the inhabitants."

My proposition is that they should act generally, and in that sense I desire to move the Resolution.

\*MR. SPEAKER: I am afraid the hon. Gentleman is entirely out of order, according to the decisions laid down by the Chair, in referring by anticipation to matters dealt with in Bills already before the House. This is clearly a case of anticipation. One of the Bills I have mentioned is to enable County Councils in Scotland to acquire building land compulsorily, and the other—the Land Purchase and Division (Scotland) Bill—is for enabling Local Authorities to acquire land compulsorily for any purpose authorised by Act of Parliament, for sites for cottages, for allotments, and so on.

MR. J. MORLEY (Newcastle-upon Tyne): May I ask you, Sir, whether the two Bills you have mentioned do not relate exclusively to Scotland?

\*MR. SPEAKER: Yes.

MR. J. MORLEY: Then I presume that if my hon. and learned Friend were to withdraw the words "and Scotland" from his Motion he would be in order.

\*MR. SPEAKER: I made that suggestion to the hon. and learned Gentleman; but he, seeing that he represents a Scotch constituency, appeared unwilling to make the alteration. It is a matter for the discretion of the hon. and learned Member. If he is willing to withdraw the words "and Scotland" from his Motion, that appears to me to remove the objection. If those words were omitted, the hon. and learned Gentleman would be in order.

MR. REID: I will move the Resolution with the reference to Scotland omitted, and although I do, no doubt, attach very great importance to everything affecting Scotland, still I do not think that the Resolution will be impaired in its force or value when applied simply to the case of England. It will have the advantage that I shall be enabled to curtail my speech and give English Members more opportunity to present their views to the House. For a considerable period there has been a strong feeling growing that the land system of this country cannot be adequately dealt with on the basis of what I may call old-fashioned reform, which suggests improvements in the registration of titles and the means of transfer of land. The fact that so many Bills have been introduced to enable different localities to acquire land for various purposes is of itself one of the strongest arguments which could be adduced in support of the views I propose to submit to the House. So strong has been the growth of this feeling that there is what some may call a revolutionary feeling existing on the land question in the last few years. In order that there may be no misunderstanding of my position, and in order that my silence may not seem to give encouragement, let me say at once that I have no sympathy whatever with any attempt to take land from anybody who owns it except upon fair and honest terms. In what I have to say in regard to landowners, I wish to speak of the system, not of the men, believing as I do that human nature is very much the same all the world over, and a great many of the critics of the conduct of landlords would themselves follow the same course if they happened to become landlords. In England there is, undoubtedly, a very strong opinion that the ownership of land, uncontrolled by the action of any Local Authority, has been considerably abused, and has led to the depopulation of some parts of the country and to enormous congestion in the population of other parts. It has led to discomforts and injustice which the people are not entitled to be called upon indefinitely to endure. We cannot deny the necessity of putting some pressure upon landlords when we see the approval of the principle in the Allotments Bill of the Government,

which I will not, of course, now discuss. I think that hon. Members who have knowledge on this subject will agree that these powers of compulsion cannot stop here. It is needed, for example, for small holdings; but without specifying any particular class of needs, I think I may appeal to hon. Members, do they not know instances of villages stunted in their growth and development, and of inhabitants restricted in occupation and debarred from the enjoyment of a home of their own, by the refusal of the landlord to sell land or to let, except upon impracticable conditions? The leasehold system which obtains so generally throughout England, I think, is now generally admitted to be detrimental to the interests of the population at large. I go further, and condemn the precarious tenure upon which so many persons occupy their houses. How can we hope to see the standard of comfort raised in England; how can we expect to see the people elevated by education and other benign influences, which are not likely to go very far in that direction, unless the people have the comfort of what they may call a home of their own? To very many people this is denied, and though I do not say it is general there are many instances of people being harshly evicted from their homes for very slight reason. I can give as good authority for my statement Mr. Froude, who, in the *Nineteenth Century* for September, 1880, has the following:—

“Not a mile from the place where I am now writing an estate on the coast of Devonshire came into the hands of an English Duke. There was a primitive village upon it, occupied by sailors, pilots, and fishermen, which is described in Domesday Book, and was inhabited at the Conquest by the actual forefathers of the late tenants whose names may be read there. The houses were out of repair. The Duke's predecessors had laid out nothing upon them for a century and had been contented with exacting the rents. When the present owner entered into possession it was represented to him that if the village was to continue it must be re-built, but that to re-build it would be a needless expense, for the people, living as they did on their wages as fishermen and seamen, would not cultivate his land, and were useless to him. The houses were therefore simply torn down, and nearly half the population were driven out into the world to find new homes.”

I do not believe that such cases often occur on a large scale in England, but there have been many cases where indi-

viduals have been driven from their homes. I should like to illustrate what I have to say by some brief reference to Scotch experience. I take the cases in order to show what the power of the landlord may be. The case of the crofters in the Highlands is a conspicuous instance, and not even the annals of Irish landlordism can exceed in horror the devastation of the Highlands some years ago. I hope that some hon. Member opposite will give the House the horrible details of the clearances that were effected in Sutherlandshire, where thousands of people were turned out of their ancestral homes to make way for sheep, and eventually for the land to be turned into deer forests for the amusement of English, Scotch, and American sportsmen.

\*MR. STAVELEY HILL (Staffordshire, Kingswinford): How long ago?

MR. REID: These things began 70 years ago, and have been continued until 2,000,000 acres out of the 19,000,000 acres which Scotland contains have been turned into deer forests, with the result that land cannot be obtained for any other purpose. I have mentioned in the House before, how, in some places in that country, the tenants hold under a six months' tenure, and they can only bequeath their property with the consent of the landlord, who frequently disregards their bequests. Ten miles from Dumfries there is land admirably situated on the shores of the Solway for the establishment of a village or small town, and there is a strong desire for this, but not a few will the landlord grant. The town of Kilmarnock had to wait 12 years before the Local Authorities could purchase land for a public park with the sum of £10,000, which had been left them for that purpose. Again, at Greenock I believe the adjoining land belongs practically to one owner, who refuses to sell or let for building, and the borough suffers severely from the artificial price of land, created by the absence of all competition. I will go no further with Scotch illustrations, for I feel it would not be right to do so. London offers the most horrible cases of all, which are the result of overcrowding, giving rise to disease and immorality of the most frightful description. The freeholders, as a rule, exercise no supervision whatever over their property, and, indeed, are powerless to do so in conse-

quence of the length of the leases they have granted. The result of this system has been shown by the evidence taken by the Royal Commission on the Housing of the Poor to be appalling. Hundreds of thousands of people are paying enormous rents for abominable accommodation. I may be allowed to quote a few words from the Report of the Commission in reference to London. On page 14 the Commissioners say—

"Among adults, too, overcrowding causes a vast amount of suffering which could be calculated by no bills of mortality, however accurate. Even statistics of actual disease consequent on overcrowding would not convey the whole truth as to the loss of health caused by it to the labouring classes. Some years ago the Board of Health instituted inquiries in the low neighbourhoods to see what was the amount of labour lost in the year not by illness, but by sheer exhaustion and inability to do work. It was found that upon the lowest average every workman or workwoman lost about 20 days in the year from simple exhaustion, and the wages thus lost would go towards paying an increased rent for a better house. There can be little doubt but that the same thing is going on now, perhaps even to a greater extent. . . . Nothing stronger could be said in describing the effect of overcrowding than that it is even more destructive to general health than conducive to the spread of epidemic and contagious diseases. Unquestionably, a large amount of the infection which ravages certain of the great cities is due to the close packing of the population. Typhus is particularly a disease which is associated with overcrowding, and when once an epidemic has broken out, its spread in overcrowded districts is almost inevitable. In Liverpool nearly one-fifth of the squalid houses, where the poor live in the closest quarters, are reported as always infected: that is to say, the seat of infectious disease. It is not surprising to learn that among the fever dens of that city overcrowding is growing less, owing to the fall of the population which mortality produces."

The reason is to be found a few pages further on, where the Commissioners say—

"Turning to the unquestioned causes which produce overcrowding and the generally lamentable condition of the homes of the labouring classes, the first which demands attention is the poverty of the inhabitants of the poorest quarters, or, in other words, the relation borne by the wages they receive to the rents they have to pay."

Charity and private enterprise are wholly unable to deal with matters of this gravity. Only on the lines of this Resolution and by a Government Bill can we grapple with the state of things existing now in London. I do not think it would be wise on my part to multiply instances, nor have I quoted these for

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the purpose of holding landlords up to odium, but to show how inadequate is our present system to deal with evils of this nature. Last year the President of the Local Government Board, in replying to me, said we might safely rely on the interests of the landlords themselves; but it is precisely the self-interest of landlords that has given rise to such evils as make a Resolution of this character necessary—selfish interests and competitive rents. Nor can a local Act of Parliament effectually deal with the subject. To obtain an Act of Parliament is a costly proceeding. The smaller towns in England cannot afford the large expense of obtaining a local Act or even a Provisional Order, to enable them to put an end to these great and growing evils. The costs of the litigation which follows the obtaining of a Provisional Order are most excessive and in many cases absolutely unnecessary, and with those costs the community are almost invariably saddled. After a Provisional Order is obtained it is necessary to have litigation for the purpose of ascertaining the true value of the land; and, as litigation on that subject is now conducted, no one who has any experience will dispute that the costs are frightful, most excessive, and absolutely unnecessary in many ways. Not only must there be a large array of so-called scientific witnesses for the purpose of proving the value, but every separate interest in any part of the land may be valued separately, and the community is saddled with the cost. No matter how unreasonable the owner of the land has been in refusing accommodation or in refusing a fair price, he never can be made liable for one shilling of the costs. He may have to pay his own costs in some extreme cases, but the Local Authority taking the land always has to pay its own. Besides, Provisional Orders can only be given for certain prescribed purposes. Suppose that the Burgh of Thornhill was desirous of buying out its landlords and of placing all the persons in the ambit of the town in an independent position, they could not do it by a Provisional Order, and it would be hopeless to try and do it by Act of Parliament, because this House has now about 20 times too much to do. Under these circumstances it is that I propose to confer on the Town Councils and County Councils the power to take land.

Of course, the land should be taken on fair terms—I mean at an honest price. I also think that some check should be placed upon the action of the Local Authorities. I should say that the President of the Local Government Board ought to have power to prevent any unfair use of their power by a Local Authority. Suppose, for example, the Local Authority wanted to take a private park, or a garden, or anything of the kind, it is quite right there should be some power to check them. Then, I think land should be taken by means of simple and inexpensive machinery. I should prefer that it should be done below a certain amount by the County Court Judge, with an assessor; or, in the case of large sums, by a Judge of the Supreme Court, also with an assessor, and I think that power ought to be given to deal with the costs of any inquiry in such a manner as to prevent those who had to part with the land being stimulated to ask and require unfair terms. If, in the opinion of the tribunal, such people acted unreasonably, the tribunal might be able to order them to pay the costs. Subject to these conditions, I would leave to the County Councils ample and complete discretion. The needs in the different parts of the country are very different, and the Local Authorities alone know what the requirements of their localities are. We have no time to ascertain the needs of localities, and if these things are to be done at all they must be done by the Local Authorities. It may be asked from what source the money is to come. I might with great ease point out that if the Government are prepared to give £33,000,000 to Ireland, which the Irish have never asked for and do not want, they might be prepared to give a little assistance for purposes I have spoken of. But I do not think it is at all necessary to make use of Imperial credit or funds in this case. Public works in Municipalities or counties will in the future, as now, be paid for out of local funds; but in cases where there are such requirements as I have been adverting to, as, for example, where a town requires an extension, and it is necessary to take land for the purpose, I believe that through the agency of Building Societies or Benefit Societies, which might combine for the purpose, it

would be perfectly possible, and in many cases would happen, that the Town Council or County Council would exercise the power, and that the whole of the money would be found by those who would reap the advantage in common with the rest of the town. I believe if such powers as I propose were conferred, they would do a great deal of good, especially in villages, for example, which are oppressed by the leasehold system of tenure, and there are not a few in the South-West of England. The leasehold system would be put an end to at once if the County Council or the Town Council thought proper to interfere. Towns will be able to expand, and to do so at no unreasonable cost. I do not say that these would be powers sufficient to settle or dispose of these difficulties, nor do I suppose that I have been able to put an adequate number of illustrations before the House in the short time at my disposal. But I appeal to the private experience of individual Members, and I submit that land reform must take the direction of increasing the powers of Municipal Authorities. If those powers are increased great advantage will, I submit, ensue. I desire to see these reforms in order that, by means of prompt and kindly concessions, we may be able to avert the danger of the spread of discontent, which I regret as much as any man in this House, and which could never be harboured by people in this country unless it is founded on a refusal to remove a real grievance.

Motion made, and Question proposed,

"That, in the opinion of this House, a measure is urgently needed enabling town councils and county councils in England to acquire by agreement or compulsorily, on fair terms and by simple and inexpensive machinery, such land within or adjoining their several districts as may in their judgment be needed for the requirements of the inhabitants."—(Mr. Robert Reid.)

(9.46.) MR. A. H. D. ACLAND (York, W.R., Rotherham): My hon. Friend, in the interesting speech which he has delivered, stated that he had asked me to say a few words on the question so far as it refers to English villages, and to that point I will, therefore, restrict my observations. But I wish, first, to make three preliminary remarks. The first has reference to the question of compulsion. I suppose we may admit, now that the Government

Mr. Reid

have got an Allotments Act, that the question of compulsion is not worth discussing as a matter of principle, for it has already been conceded by the Government. When I first entered the House the acceptance of the principle seemed to be very far off indeed. I remember how the hon. Member for the Bordesley Division, who then represented Ipswich, was attacked by the present Minister of Agriculture for advocating this principle. The right hon. Gentleman talked about the "predatory instincts of a class whose Socialistic schemes were so admirably represented by the hon. Member." I suppose that it is we who have predatory instincts and Socialistic schemes at the present moment; but it seems to me that the matters for which we plead are quite as important, and not in any way more dangerous, than the principle of compulsion which the Government have already conceded. I agree with my hon. Friend that we might trust Local Bodies, if the application of compulsion is extended, not to infringe upon the amenities which may justly be claimed by landowners or others. For the purposes for which land is wanted in English villages, security of tenure is even more important than that the freehold of the land should be acquired. I quite agree that the Local Authority should retain some power over the land which it purchases, in the same way as Building Societies do, and that they should secure the annual increment by valuation from time to time. In the next place, I hold that there should be a common management of the buildings erected upon the land by the people for the people. I hold that it is most desirable to develop some kind of public opinion in the villages, because in too many at the present time there is hardly any public opinion. I believe that many landlords are now beginning to see clearly that this question of country life is not a mere question of how many pounds of beef or how many bushels of corn can be produced per acre; there is a question of human life. It is no answer to say that in some villages the state of things is everything that can be desired, because we know perfectly well that other villages are sadly neglected; while even in some, which are under a kind of benevolent management, there is no real free-

dom. The history of land shows that the tendency has been to put all the power in the hands of one man, and Mr. George Brodrick in his book says—

“All these changes have by no means weakened the power of the squire, who, on the contrary, is a greater man than ever relatively to the other classes in the village community, since he is no longer jostled by independent yeomen, but surrounded by obsequious tenants and labourers. This potentate concentrates in himself a variety of rights and prerogatives which in the aggregate amount to little short of patriarchal sovereignty.”

It is true that in many villages there is something of this patriarchal sovereignty. For certain purposes the inhabitants of villages have a fair claim to the use of pieces of land. There is the case of village halls, which are wanted for entertainments, for labourers' meetings, for the meetings of Friendly Societies, and for the formation of libraries. Only a few days ago I heard of an excellent village hall which was largely used by Churchmen; but when Dissenters asked to be allowed to give an entertainment in it, the vicar and the squire said “No.” A Dissenter in the village thereupon went to the vicar and said, “It is very hard, sir, to be a Nonconformist in this village.” If that is not boycotting it is something very like it. Possibly the hall was built mainly with the money of Churchmen, and if they chose they could, of course, keep the Dissenters out of it. The next purpose for which land is wanted is for use as recreation ground. In many villages there was no recreation ground for the people. Mr. Jessopp, a well-known writer, speaking of the East of England, says—

“The plain, ugly fact is patent to all who do not resolutely keep their eyes shut, that the agricultural labourers life has had all the joy taken out of it, and has become as dull and sodden a life as a man's can well be made. There are scores, perhaps hundreds, of villages where the inhabitants have absolutely no amusement of any kind outside the public house, where cricket or bowls or even skittles are as unknown as bear baiting, where the children play at marbles in the gutter in bodily fear that the road surveyor should come down upon them.”

A clergyman told me recently that in his parish it was utterly impossible, without an expenditure of money he could not afford, to get a field for his lads to play cricket in, the only place where they could play being the bottom of a dried-up pond. Then,

again, there is the case of Working Men's Co-operative Societies, which ought to have a fair opportunity of securing a footing in every part of the country. Every North Countryman knows the splendid work which these societies have done; and I, therefore, advocate this, whatever hon. Members may think on the vexed question of the relationship of these societies to individual shopkeepers. Mr. Albert Pell, a late Member of this House, said, in his evidence before the Small Holdings Committee—

“If there was legislation for the compulsory taking of land in parishes or villages I should like to see legislation enabling Industrial Societies to get hold of freeholds for Co-operative Stores. My experience with regard to those societies is that they are at an enormous disadvantage in England from the inability to get into a village. People are always saying, ‘Oh, you will disturb some old woman,’ or ‘You will give offence to somebody.’ My own experience has taught me it is very difficult for the co-operative movement to get on from the difficulty which exists, especially in smaller villages, to get a place where they can securely carry on their business.”

I know of some villages where the societies cannot possibly obtain a footing except by the exercise of compulsory powers. The societies occupying premises on a tenure terminable at six months' notice cannot possibly be expected to develop. They may be excellently supported by the squire or the vicar, but the squire may die, and then what may happen? Somebody may succeed him who does not care for Co-operative Societies, and I submit that the only way in which they can develop would be by investing their savings in the form of new buildings, and they cannot be expected to do that until they are assured of security of tenure. I should like to give an instance of the control of our village schools in its direct bearing on those Co-operative Societies, which, I know, have the sympathy of many Gentlemen opposite. One of my Co-operative friends wrote to me the other day stating that he had been trying to establish branches of the Co-operative Stores in small villages, and, with that object, had endeavoured to get up entertainments for raising funds. In the first instance, a clergyman, as manager of a school, refused an application for the use of a school room for an entertainment; and, in another instance, a School Board made a promise to grant a school

room on an undertaking that votes would be given for members who pledged themselves to grant such facilities. As my friend remarks, a refractory Elective Board can be dealt with successfully, but a refractory clergyman cannot. The short tenure of many Non-conformist Chapels, especially in Wales, and the fact that it is frequently uncertain how far any chapel can get a really good site in any village, must make us all feel that Religious Bodies ought to be treated on equal terms, and that any Religious Body who *bonâ fide* desires a site ought to be able to get it. I turn now to the case of village societies. Mr. Albert Pell says that he does not think there is a great desire to obtain land with a view to cultivation, but that there is a desire to obtain a bit of land to build a house on, with a garden adjoining. We all know the ordinary agricultural labourer cannot buy his house, but there are scattered about in many of our villages artisans, wheelwrights, blacksmiths, carpenters, shopkeepers, and others, who, if they were living in towns would take advantage of Building Societies to become owners of their own houses. I see no reason whatever why a genuine Building Society should not be allowed to provide for the wants of men of this sort in country districts. I think, also, there ought to be power to obtain land compulsorily, if necessary, on which to build intermediate schools in the best positions in towns and villages. Of course, none of these suggestions can be completely carried out until we get District Councils; but some step, at all events, can be taken in the direction we advocate. My hon. and learned Friend has alluded to the leasehold question. A good many landlords are saying, "If you propose leasehold enfranchisement we will grant no leases at all." The effect of adopting a policy of this kind will be that poor people will have no tenure whatever except from month to month. All I can say is, if landlords take this unreasonable line they must not be surprised at the extreme views some men adopt, especially in the towns. It is because I think we may find some intermediate method between boycotting on the one hand and violent measures on the other that I support this Motion. The son of a very liberal landlord said to

*Mr. A. H. D. Acland*

me the other day, "If you were to give these powers to Building Societies you might find two or three cottages going into the hands of poachers." Another argument used against us is that unsanitary dwellings would spring up. What are our Sanitary Authorities for if they cannot keep our villages in a proper condition? Such arguments as these are thoroughly bad. There are two sides of village life, and one of them is usually concealed in the minds of the people themselves. I personally came across this case the other day. A carpenter, who devoted himself to social work, and the work of education among his fellows, happened to fall out of work, and accepted a situation as estate carpenter on a large estate in the South of England. After a year or two he went back to his native place and detailed his experience. He began first of all, he said, trying to get up concerts in the village in which he lived, but this was soon put a stop to. He said no effort whatever was encouraged among the people themselves unless it was brought to them from above, and he stated that the life was almost intolerable, because, as he said in his homely way, "It knocks all the manliness out of a man." I do not directly blame the agent, or the landlord, or the clergyman of this village, because I do not suppose they were conscious of the effect of the policy they adopted. I should, however, be inclined to say to any independent-minded man of fair education, who was wavering as to whether he should remain in or leave the village in which he lived: "If everything is done for you from above go to a place where you will find a more independent atmosphere in which to live." This is not a question to be settled by charity or money. I remember the Chancellor of the Exchequer, speaking on the Irish Question in 1885, remarking that people who had become extremely rich thought that their cheque-book could solve all questions, and his observation might well be applied to the state of things in our villages. It is not by making model villages, model reading-rooms, and all the rest of it, that you are going to develop an independent spirit among working people. Give them something to manage for themselves; let them have halls of their own, libraries of their own, opportunities for acquiring

bits of freehold land in good positions for Co-operative Societies, chapels, an dozen houses of their own, and then you will bring out the best of them, and they will be happier and pleasanter people to live among than they are at present. I think, on the one hand, there are many who imagine they are going to do the people good by Primrose League festivities; whilst, on the other hand, there are people who think they are going to settle all the questions that concern the land by wild and revolutionary schemes. Is there, I would ask, no intermediate course? I think there is. Though our proposals may seem small, I think that, if properly worked out, they will lead to more community of feeling among the poor, and to a greater sense of responsibility for their own affairs, such as will make a man a man. These things may work slowly, and will work slowly, but they will, I believe, give independence to many who now are not in the best sense of the word independent, and will lead to greater happiness by the road of wider and fuller opportunities.

(10.18.) MR. AMBROSE (Middlesex, Harrow): I think the House has some ground for feeling disappointed with the speech of my hon. and learned Friend the Member for Dumfries (Mr. R. T. Reid)—I do not mean because he has not been allowed to go much into the question, but because I think the Resolution he proposes is a totally different thing from that which he has attempted to advocate in his speech. The Motion declares that a measure is urgently needed for enabling Town Councils and County Councils in England to acquire land compulsorily for the benefit of the inhabitants. Now, a Town Council is a body created by statute for particular purposes of Local Government, and County Councils have been created in like manner for the purposes of County Government. My hon. and learned Friend wishes to show that these bodies have not the requisite powers in regard to the acquisition of land to enable them to fulfil the purposes of their existence. But he has not attempted to prove that these bodies have no powers. There are many duties cast on Town Councils, such as the duty of providing for drainage,

providing recreation grounds, libraries, water supply, and artisans' dwellings, which necessitate the acquisition of land. Wherever it has been found necessary for Town Councils or Rural Boards to have power for acquiring land compulsorily, Parliament has conferred that power on them. As it has not been shown by either the Mover or the Seconder of the Motion that these bodies have not the requisite power for the purpose for which they have been called into existence, I suppose they are contented with the powers which exist in that respect. Then what is the proposition? The hon. and learned Gentleman began by dwelling on cases of hardship in regard to individuals, and insisted on the necessity for giving powers to Local Authorities for the acquisition of freehold property. Well, I know that it is desirable in some cases that powers for the acquisition of freehold should be given. The hon. and learned Gentleman mentioned a case in Devonshire, not within his own knowledge at all, but based on a statement by Mr. Froude, the historian—and here I may say that, though one is always happy to take Mr. Froude's opinion on a matter of history, it does not follow that his opinion is worth more than any one else's on the every day transactions of life. Then, having dealt with the case of alleged hardship in Devonshire—only one solitary case—the hon. and learned Gentleman flew off to Scotland. I will not go at length into the Scotch question, but I must say I have a lively recollection of what took place in the House in 1886. The hon. and learned Gentleman referred to the crofters, but he entirely ignored the enormous rights and powers which, in 1886, were conferred upon the crofters where their holdings were too small. The hon. and learned Member challenged me to say in what cases I would give the powers he advocates. Well, I will tell him. Let him give me an instance in Devonshire, or anywhere else, where there are landlords so cruel and senseless as to refuse to let land which is needed for the interests of the inhabitants, and I shall be quite prepared to give power by Provisional Orders to enable a municipal Corporation or County Council, or some body responsible to this House, under



proper check, to acquire land for the purpose of the people. That is where I would meet my hon. and learned Friend. Let him show me a case where he could prove the Preamble of a Bill or a Provisional Order for affording the relief he speaks of, and I will meet him. He has not, however, produced a shadow of a case. Having started in Devonshire and wandered off into Scotland—ignoring the liberal provision made in that country for the crofters—my hon. and learned Friend came back to London and declared that the case of the Metropolis is the most horrible of all. Well, what is the result of his statement? Why, that in London rents are absolutely competitive. I would ask why rents should not be absolutely competitive? Is there any part of the United Kingdom, or of the world, where rents are not competitive or in which anything else that is to be sold or hired is not governed by the laws of demand and supply? Hon. Gentlemen opposite seem to lose their heads over this question; they seem to think that different principles are to be applied to land as compared with any other property. That might be a good cry if we were dealing with the origin of society, and starting the question of a new State where a large number of people are suddenly thrown upon a tract of land which is only capable of accommodating a certain number, but here we have to deal with a country where the land has for centuries been in the occupation of somebody, and that somebody has been recognised by the State and by society as the owner of the land, who can give up the land in consideration of money paid for it. Land and money are convertible terms, and men who have made money should be encouraged to invest it in land. I am at a loss to see why a man who invests his money in land should be condemned when he looks for a fair interest upon it. My hon. and learned Friend, by way of illustrating further the horrible character of London, said that many people, hundreds of people, there are paying rents they could not afford. I am afraid that has been my own case through the whole course of my life; I really do not know anybody who does not think he is paying too much when he is asked to pay his rent. But what

*Mr. Ambrose*

about the thousands and tens of thousands of people in London who are paying more than they can afford for food and other necessities of life? And this argument applies not only to London but to every part of the world. It is idle to make a complaint of that kind. My hon. and learned Friend says that we have in London fever dens. Does the hon. and learned Gentleman ignore the fact that here come in the powers of Municipal Bodies? Does he ignore the fact that the Municipal Bodies, when they find these fever dens, have power to destroy them, to proscribe whole areas, and to provide for the erection of new buildings? My hon. and learned Friend contended that something must be done, either on the lines of the Resolution or by confiscation. I thought from the first that my hon. and learned Friend meant confiscation. I agree with him that it does mean something on the lines of this Resolution, or by confiscation. My hon. Friend spoke of fair terms and simple machinery. What is meant by fair terms? I cannot but think that in the use of those words my hon. and learned Friend meant something in the nature of the so-called fair rent in Ireland to which the competitive value of the land has been reduced. Fair terms in the sense of the Resolution mean favourable terms for the tenant, but utterly unfair and harsh and wicked terms as against the owner of the property. It is a singular fact that the only instance in which my hon. Friend descended to particulars dealt with matters which Municipal and County Councils already have power to deal with. He quoted the demand for village halls. Well, town halls are now erected by Councils in nearly all boroughs, and vestry halls in nearly all Local Board districts; while the same authorities also have power to provide recreation grounds. School Boards, too, have compulsory powers for the purchase of land. But suppose the Municipal Authorities do get these powers, and do acquire land, they must charge a rent for it, and that rent will have to be fixed either by some rule of their own or on the competitive rule. It must come to exactly the same thing. I object to any increased powers being given, as proposed by the Resolution, until it has been pointed

out specifically what those powers are to be.

Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words "This House, while ready to consider definite proposals for conferring on county councils and town councils such further powers as may be shown to be needed for the requirements of the inhabitants within their jurisdiction, declines to assent to a general proposition which neither defines the nature of the requirements nor the mode in which they are to be met."—(*Mr. Ambrose*.)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

(10.40.) COLONEL KENYON-SLA-NEY (Shropshire, Newport): I think I ought almost to apologise to the House for venturing to rise to second the Amendment, and my only excuse for doing so is to point out that rural districts are equally with urban interested in this question. It seems to me that the scope of the discussion has separated itself under two somewhat different heads, and I think the House will see in the speech of the Seconder of the Resolution that very different matters were alluded to to those which were touched upon by the Mover of it. I can assure the right hon. Gentleman who seconded the Resolution that in all he has said as to village life, and in all his aspirations for the development of manliness among the rural population, he has many a warm sympathiser on this side of the House, and he has no more hearty and sympathetic partisan than I profess myself to be. The only point is that we differ somewhat as to the means to be adopted in order to attain the end the hon Gentleman has in view. We think that end is not to be secured by perpetually calling in question the good motives and operations of the landlords, but that it is more likely to be promoted by freely acknowledging that they are doing a great deal to forward his object. So far as the operations of the landlords are concerned, I think that, although the hon. Gentleman has made out a good case for increased interest and philanthropic exertion, he has hardly brought forward

any practical argument that would justify the House in supporting the Resolution that he has moved. But beyond that part of the question which refers to rural life, I notice that the Mover of the Resolution dealt more especially with the powers which it is proposed to give to Town Councils; and on that subject I think it would, perhaps, not be out of place to consider what use has been made by Town Councils of the powers which they already possess, and how far those powers have been used discreetly and moderately, and without inflicting injustice upon other interests with which they come in contact. I think the hon. Gentleman has been somewhat unlucky in the day on which he has chosen to move this Resolution; for, with his interest in legal matters, he will probably have noticed a case in which judgment was yesterday delivered by Lord Justice Fry. It was a case which bears directly upon the behaviour of Corporations towards rural localities with which they are brought into contact. The Corporation referred to in this case was that of Wolverhampton, and the allegation brought against it was that it had acquired certain land for uses which are intended to be amplified by the present Resolution. The allegation was that the Corporation had, by their action, changed a pure brook stream into a filthy and offensive stream; that they changed water formerly fit for cattle and domestic purposes into water unfit for such use; that they rendered the land where the water flowed unfit for the purpose of agriculture; and that they turned a pleasant trout stream into a filthy ditch. Now, this is a case in which a Town Council had exercised powers which it already possessed to acquire land for the purpose mentioned in this Resolution. They had acquired land, and they had used it in such a manner as to produce the results mentioned in the allegation; and in the end an injunction was granted restraining the Corporation from further polluting the brook. That injunction was granted in August, 1886, and yesterday Lord Justice Fry, in delivering judgment, found the Corporation guilty not only of disobeying the injunction, but of having wilfully disobeyed it; and in the end he granted what, in legal phrase, is termed a sequestration

of the property of the Corporation. That surely is a strong case, and shows that there is, at all events, a reason for hesitation before the House grant increased powers to the Councils. The case of the supporters of the Resolution would be strengthened if they could show that the powers already possessed by Councils have been always exercised for the benefit and not to the injury of the community at large. Another fact within my personal knowledge has a direct bearing on this question. The Corporation of Wolverhampton have also acquired land, on which they have erected machinery for pumping water for the use of the town. In this particular case the Corporation have entirely deprived a considerable district around them of a large water supply, by the process of boring deep wells. There are, at this moment, several farm-houses and cottages in which not one drop of drinking water can be obtained, through the action of the Corporation. I personally waited on that body, and, while they admitted that this denudation of water was the direct result of their action, they told me that if there were more water they would take that as well. I adduce this case as another instance where the powers now sought to be amplified extend to a degree which enables a direct injustice to be inflicted on a rural district without any chance of redress. I repeat that the House should hesitate before it accepts a Resolution, the object of which is vaguely to increase and enlarge the powers which, it can be shown have, in the past, been used mischievously and unfairly. I think that the Amendment, which goes in the direction of limiting the vague and visionary language of the Resolution, would, if adopted, save the country from what might easily become a danger to the cause of justice and fair play.

\*(10.56.) MR. D. CRAWFORD (Lanark, N.E.): I think that hon. Members on this side of the House may congratulate themselves on the extreme candour of the arguments brought forward by the Mover and Seconder of the Amendment. The last speaker argued not only that the powers now possessed by Town Councils ought not to be extended, but

*Colonel Kenyon-Slaney*

that they have been abused, and ought, therefore, to be curtailed.

COLONEL KENYON-SLANEY: I never hinted that the powers should be curtailed, though I urged that the House ought to hesitate before it further amplified them.

\*MR. D. CRAWFORD: I am in the judgment of the House whether, if the hon. Member's statement is correct, it is not a legitimate inference that the powers ought to be curtailed. Members on this side of the House, however, are of opinion that the powers at present possessed by Municipal Councils have been exercised with the utmost advantage to the country, and they are in sympathy with the argument of the hon. Member for Rotherham, when he said that, with the view of stimulating the manliness and independence of village communities, he was prepared to take the very distinct step in advance proposed in the Resolution. The Mover of the Amendment contended that this is, and ought to be, a pure question of supply and demand. There, I think, we approach the kernel of the question. I do not think that any Member of this House can complain of the moderation with which the hon. Members for Dumfries and Rotherham presented their views, nor can it be said that there was anything revolutionary in their proposals. By this Motion we aim at two things. We aim at obtaining a much-needed practical reform which we desire to get for purposes of an urgent character. But we also hope that the House will accede to the Motion as indicative of a certain stage in the advance of public opinion, and as a means of registering its view, that the use of land is not merely a question of supply and demand but is one in which the public and Parliament have a legitimate concern. We all know that it has been too much the custom to apply the phrase "A man may do what he likes with his own" to the possession of land. Hon. Members on this side of the House consider that opinion to be not only an erroneous one, but very far indeed from being a Conservative opinion. We consider it to be an opinion which is dangerous to the security of property; and it is, to a large

extent, in a Conservative interest that we advocate this Motion. The arguments which have been urged by the Mover and the Seconder of the Amendment would lead to this result—that supposing a man by his title deeds possessed a whole county in England, he might clear it of population and make it a desert, and no one in this House would have a right to challenge the owner. We demur to and dispute this proposition. We are not advocates of any revolutionary disturbance of land tenure as at present in force. Indeed, I consider the systems of land nationalisation which are advocated as unsuitable if not fundamentally impossible; but if anything would bring into prominence those violent and revolutionary views it would be such arguments as were used by the Mover and the Seconder of the Amendment, to the effect that a man may do what he likes with his own and sweep off the face of his estate cottagers and everybody else and if it suits him to do so.

MR. AMBROSE: I never said anything of the kind, and it will be in the recollection of the House that I distinctly asserted that if any such case could be made out it would form a ground for the intervention of this House.

\*MR. D. CRAWFORD: I am not surprised that the hon. Member has made that remonstrance. I am aware that he does not desire his arguments should be too stringently construed, but I would remind him that, when he was ridiculing the arguments of my hon. Friend in allusion to competitive rents, the hon. Gentleman said—"Why not have competitive rents in land? What is the difference between land and any other commodity? It is a pure question of supply and demand." Therefore, I say, I was only drawing a fair inference in stating that the hon. Member would deem any landowner justified in sweeping off every cottager from his estate. We all know how largely that sentiment prevails in the country. I have known, within my own experience, landlords, good and benevolent men, who had avowed that because they were not pleased in a case where there was a tendency in a village to extend in the direction of their houses,

they would not allow cottages to be built in the direction of their estates. [*Cries of "Name."*] I know a case of hardship in this connection in Scotland. There is a very important and growing town in my own constituency which is rapidly increasing. There are mineral fields in the district, and the only terms upon which the landlord will permit houses to be built are, first, he exacts that a good and substantial house, sufficient to be a security for the ground rent, should be built, and that if the coal is taken out from below the house, and the house should tumble about this man's ears, the occupier is to have no claim for compensation. That, I say, is a tyrannical and dangerous use of property, which forces on the minds of the people of that county the fact that, though born there, they really have no place to live in. And things are getting worse in Scotland as well as in England. So far as our studies and knowledge carry us, I agree with the quotations from Mr. Brodrick's book which have been read, to the effect that the squire in England is now a more powerful man and the cottager possesses fewer rights than in former times. In several parts of the county that I represent it used to be the custom for the miners to save money and buy a house and plot of land of their own, and under that system a peculiarly fine type of men was cultivated. Under the present system, where, as a rule, miners' cottages belong to the landowner and where the tenant is not secure, the condition of the workmen, neither morally nor physically, can be compared to that of the older race of men who acquired an interest in their houses. We are aware that this Motion, in its operative part, must, under the Rules of the House, be restricted to England, but the question is one which interests my constituents most deeply, and that is my apology for intervening in this Debate. It is a question which touches their imagination more, perhaps, than any political question of the day. I feel assured that there is nothing in the Resolution which need prevent hon. Members opposite from voting for it. Many of those hon. Gentlemen profess their sympathy with the working man, and their desire to aid him in obtaining a more independent position.

Why, then, should they not assist in conferring on Municipal Bodies the right of acquiring land for the benefit of the working class? There is, at any rate, no argument in favour of the Motion which presses more upon my mind than that it is, in the best sense of the word, a Conservative Motion, and that, if hon. Members opposite will vote for it, they will do much to promote that security of tenure in regard to land in this country which they so much desire to ensure.

\* (11.15.) COLONEL HUGHES (Woolwich): I desire to state, in addressing the House on this question, that I am not in favour of any doctrine of confiscation of landlords' property, and that on this side of the House, at any rate, contracts are held sacred, except where the interests of the community require any alteration. I desire to say a few words in reference to the acquisition of freehold for public buildings. In my own district, when a vestry hall was required, it had to be erected on a leasehold tenure, because it was not possible to buy the freehold. We are now looking for a central site for our baths and washhouses, and are unable to get anything but leasehold land. In the same way our free library could not be placed in the middle of our population on a freehold site. I can imagine no reason why Local Authorities should not have power to acquire land by compulsory purchase, for the purpose of erecting baths, washhouses, libraries, town halls, and other public buildings. The sooner some legislation is passed to carry into effect the recommendations of the Town Holdings Committee, even to a limited degree, the better it will be for our great populations. With regard to houses, there is, no doubt, considerable difficulty in allowing one man to purchase his freehold while another may not choose to exercise that power. I recognise the extreme difficulty of putting compulsory powers in the hands of individuals. But that difficulty would not occur where Local Authorities purchased, not one or two houses, but whole estates for the benefit of the community. In the parish of Plumstead, where I live, I recollect the land being let for agricultural purposes at £3 per acre in 1845. The income of an estate

*Mr. D. Crauford*

of 250 acres in Plumstead in 1845 was, therefore, £750 per annum, and the capital value of the estate at 20 years' purchase was £15,000. In consequence of the increase of the Government work at Woolwich, immediately after 1845 and after the Crimean War, it was necessary that additional houses should be erected for the accommodation of the workmen employed in the Government Establishment. If an Act such as that now asked for had been in operation, this 250 acres could have been acquired and about 5,000 houses built. But as the freehold could not be bought the houses had to be built on leasehold tenure. After making roads about 20 houses per acre were built on the leasehold tenure, for which £3 per annum ground rent per house was paid. The result is that an estate which was bringing in £750 per annum, and the capital value of which was £15,000, now brings in an income of £15,000, or its original capital value, every year, in consequence of the lucky circumstance of houses being required for workmen who are obliged to live near their work. The houses were built on leases for 70 years, which have now about 25 years to run. The landlord will have received about £1,000,000 in extra rent, without reckoning interest thereon, and in 25 years the houses, which cost £200 each to erect, will revert to him, and he will get another million of money. These 5,000 men who built these houses, chiefly with the aid of Building Societies, or paid heavy rents for these houses, will not have a relic left of that which they put on the ground; some people will have become millionaires, and others will have reverted to their original condition. In fairness, I ought to admit that those who have the leasehold houses, and let them, do not make a loss, because the rents charged enable them to recoup themselves for the money laid out and the interest upon it. This loss really falls on the workpeople in excessive rents. Now, if the community had stepped in, in the first instance, either the enormous profit I have mentioned would have belonged to the Municipality, or the rents would have been less during the whole of the time. It may be said that all that is past and gone, and nobody wishes to take the landlord's property away. But what is

to be done now? It would be a very good thing, in my opinion, even now, if the municipality were to step in and make an arrangement by which the £3 a year ground-rent should be increased to £6 and give a perpetual lease. The result would be that those houses would not be forfeited, the 5,000 leaseholders would still retain their property, subject to a £6 ground-rent, and that ground-rent would at once double the freeholder's income, or could be sold for £150, and it was better to have £150 in cash 25 years before the lease expires than a house worth £200 25 years hence. There would be no loss in an arrangement of that kind; the landlord would be benefited, and the workmen would remain in permanent tenure of their houses. It only wants business men to consult together in order to effect some arrangement by which the thrift of the working classes can be permanent instead of evanescent. I give this practical example in answer to my hon. Friend who wished for practical instances. I leave the House to deal with a matter which affects the well being of the country. Working men are fully alive to the importance of having permanent homes—they value them very much, especially those who desire to live in the same locality. Certainly it is a desire which ought to be encouraged, I hope, by the whole of us. Permanent thrift will make the lives of the working people and their children happier than they have been in the past.

\*(11.23.) MR. CREMER (Shoreditch, Haggerston): Mr. Speaker, if the result of this Debate had only been to have caused the hon. Member to deliver the speech to which the House has just listened with a good deal of interest, it could not be described as otherwise than profitable; and entitle the Mover of the Resolution to our thanks. The speech with which the hon. Member who moved the Amendment favoured the House appeared to me to be one that might have been made 100 years ago, when it would have been in keeping with the then existing order of things. The hon. Member has apparently come into the world too late. It is a pity, because he might have been able to influence past

generations, but we have outgrown the fossilised views he expressed in regard to the rights of property. There was a marked difference between the speeches of the Movers of the Motion and Amendment. The one pleaded for humanity, the other, from first to last, almost exclusively for property. The hon. Member does not seem to have any sympathy with anybody or anything in the world except the holders of property. The hon. Member for Harrow asked the Mover of the Resolution to produce an instance of hardship, and then he would consent to some power being vested in the Local Government Board. But what the Mover and Seconder of the Resolution pleaded for was that the people should have the opportunity of accomplishing their objects themselves. With that suspicion, which is still entertained of the working classes, the hon. Member said, "Prove to us that you suffer hardships and we will do something for you." But the people have outgrown those ideas. They are anxious to redress their wrongs in their own way. And I am satisfied that the people themselves are better acquainted with their own wants and aspirations than ever the hon. Member for Harrow can possibly be; and that they are better qualified to redress them than even he is. The speeches of the Mover and Seconder of the Resolution, I thought, bristled with instances of hardship, and the House has just heard another very remarkable case from the hon. Member for Woolwich. I can quite understand the hon. Member for Harrow saying to himself, during the delivery of the speech of the hon. Member for Woolwich, "Save me from my friends," because the speech of the hon. Member for Woolwich supplies him with one of the most remarkable instances ever, I think, afforded to this House, of the hardship, cruel wrong, and suffering inflicted upon the industrial classes. I hope after this the hon. Member for the Harrow Division will never again use the term "confiscation," or try to frighten the country out of its propriety, by talking of the danger there would be in giving Local Authorities the power of confiscating the property of the landlords. What have they been doing at Plumstead but confiscate?—["Oh!"]—I

use the term advisedly—not land, but bricks and mortar, the dwellings which these men have raised by their money and skill. I am simply voicing the opinions entertained by the people with regard to this iniquitous system. The talk of confiscation comes from the hon. Member for Harrow with a very bad grace. The Seconder of the Motion treated the House to two remarkable illustrations of the danger of conferring on Local Authorities the power of doing that which we are asked, by the Resolution, to enable them to do. He told us that the Town Council of Wolverhampton had deprived certain cottagers and dwellers in farm-houses of a proper supply of water. Well, it has fallen to my lot to travel through many of the villages of the United Kingdom, and I have seen many instances of hardship in the matter of water supply inflicted on the villagers, not by Town Councils or Local Authorities, but by landlords. There are hundreds of villages throughout the country in which, owing to the action of the landlords, the people have no water supply other than that of the village pond, which contains water full of animalculæ, not fit even for animals to drink. If this Resolution is carried into effect it will, as one of its results, enable the people to remedy this state of things. A great deal of socialistic agitation now prevails, led by men nearly all of whom are terribly in earnest, and it is the experience which these men and their followers have obtained of rural life and of the sufferings to which the agricultural labourers have had to submit that has embittered their feelings. The ranks of Socialism in London and our large towns are becoming a dangerous force in the country—and I use the term “dangerous” advisedly—to the supporters of the existing state of things; they have been swollen by the influx of men from our villages who, in their country life, have suffered grievous wrongs and hardships such as those it is now sought to remedy. I would, therefore, ask hon. Members on both sides of the House seriously to consider whether by the adoption of a beneficial and practical Resolution such as that now submitted to us, they would not be doing something to deprive the advocates of ex-

*Mr. Cremer*

treme, and very often foolish, measures of the power they already possess and of their influence which increases day by day.

\*(11.36.) **MR. SHAW-STEWART** (Renfrew, East): The hon. Gentleman who has just sat down speaks of the benefits which would result if this Motion were passed, but he has omitted to point out in what particular way the Motion would benefit anybody.

**\*MR. CREMER:** I suggested that it would benefit the villages by enabling them to obtain purer supplies of water.

**\*MR. SHAW-STEWART:** I was about to say that all I could gather from the speech was that if this Motion were passed the animalculæ in village ponds might in some mysterious way vanish. But if all that is to happen is that the animalculæ in village ponds are to be replaced by the animalculæ in town ponds, I do not see that much will be gained. The hon. Member did not suggest what powers should be conferred on the Town Councils which they do not already possess for dealing with sanitary matters. The hon. Member for Lanarkshire made a general sweeping statement—which seemed to be founded on nothing more than gossip—as to the desire of certain landlords to drive everyone off their land. He did not mention the names. He found fault with the Seconder of the Motion for mentioning some cases of Town Councils in connection with which alleged hardships had occurred, and he would have been the first to complain if the names of those Town Councils had not been given; but he himself omitted to tell us who were the individuals of whom he spoke. I am surprised that the case of Scotland should have been gone into after your ruling, Sir, but it was touched upon, and the hon. Member who touched upon it dealt with a case with which I am tolerably familiar. The Mover of the Amendment instanced the case of Greenock, as to which he must have been misinformed, for during the last 40 years land has been acquirable

by the Corporation of Greenock, and could have been acquired on fair terms. Tested by this case, the other examples of hardship adduced are of little weight, and therefore no case has been made out for the Motion, and it has not been shown that things would have been different if effect had been given to the Motion by legislation. For these reasons I shall support the Amendment.

\*(11.42.) MR. WINTERBOTHAM (Gloucester, Cirencester): I believe the Debate on this Resolution will be productive of great good in the country. It states in a simple and plain way what is a great public need, and it is evaded by an Amendment which speaks about being ready to consider "definite proposals," but declining to assent to "general propositions." We heard in the earlier part of the evening my hon. Friend the Secretary to the Board of Trade say something about "A true blue argument." Well, I think the hon. Member how moved the Amendment made a speech which was worthy of being described as a very "true blue" speech; but, fortunately, we have heard from the same side of the House a speech of a very different character—I allude to that of the hon. Member for Woolwich. I would commend that speech to the attention of the Government and the Party opposite. I rejoice in this Debate, which indicates the greater interest taken in agricultural labourers since they have votes. Their interests are no longer the preserve of the hon. Member for Bordesley, whom I do not see in his place to-night. This Motion affords a touchstone and a test which will enable the labourers to determine who are their real friends, and who will assist them to obtain a greater enjoyment of the land which they believe is intended for the happiness and the use of all. True, the Resolution does not say how it is to be done; but while it deprives opponents of the opportunity of fastening upon details, it lays down a broad general principle which it is for statesmen to carry out. The labourers want land on fair terms free from the personality of the individual landlord, and under

conditions which will save the unearned increment to themselves and their children, instead of allowing it to be appropriated by landlords big and small. Now, this Resolution fulfils all these conditions, and therefore, I for one, most loyally support it. The labourers know the interests of those who are against them—the landlords who for generations have fattened on the unearned increment of the community. An instance has been given of this by the hon. Member for Woolwich; and cases of this kind must be within the knowledge of every Member in his own constituency. I came across a case the other day, where a landowner was charging at the rate of £2 10s. for a tenth of an acre. That landowner is a Member of this House sitting on this side—though he does not vote with us. £25 a year for an acre of land let to agricultural tenants as garden allotments while the adjoining land is let by him at between £4 and £5 an acre. These cases are not singular; there is hardly a district in England in which they do not occur. The building lease dodge is another means by which the landlord fetters the growing community. The communities grow; they want elbow room, and the private owner of land fattens on the very needs of their existence; whereas I maintain that if communities were allowed to acquire lands around themselves on fair terms, so that they should receive the unearned increment, in 50 years' time there would be a property valuable enough to pay the whole of the local and poor rates. I would not interfere with any man's property unduly; but I hold that all individual ownership of land is subject to the general ownership of the community. I am one of those who hold the doctrine—Radical doctrine if you like to call it so—that God never intended the land to be possessed and enjoyed by a few people, but that He intended it for the benefit and enjoyment of all. And as I am in the habit of saying these things on village greens, and in village school rooms, I should be ashamed of myself if I did not say them here as well when opportunity offers.

\*(11.52.) MR. WHARTON: The last speaker, so far as I understood him,



alluded to the want of small holdings in England and Wales; but if it is not a matter of ancient history, I would remind him that the Party to which he belongs, in 1886 having turned out a Conservative Government on the question, had an opportunity of going on with the measure, but failed to avail themselves of it. It seems to me somewhat strange that so eminent a Member of the Party in power in 1886 should twit the Conservative Party—who really have done something towards enabling labourers to acquire small holdings—with not doing that which his own friends neglected to do when they had the opportunity. The Motion, so far as I understand it, is to enable Town Councils and County Councils, in some fashion not stated, to buy land for certain purposes which are very vaguely set forth. They are to be empowered to spend the ratepayers' money for some purpose, as to which the hon. Member has not been good enough to enlighten us. I came down here to-night expecting to hear an eminent lawyer—for the hon. and learned Member for Dumfries is a very eminent lawyer—propound a new Land Law for England; but I must say that I have received very little enlightenment. The hon. and learned Member began by stating that the landlords in England behaved very ill indeed. I was anxious to hear him give instances to prove his assertion, but he did not give any. All that he told us was that something unfair had been done in a fishing village on the coast of Devonshire.

MR. R. T. REID: I did not say that all landlords had behaved very ill indeed, or else I must have very ill indeed expressed my meaning. I said there were many cases of hardship, but that there were good landlords as well as bad.

MR. WHARTON: I am glad that I have elicited from the hon. and learned Member the confession that there are good landlords in England; but I must

*Mr. Wharton*

say that the hon. and learned Gentleman gave me the impression—and I think I shall be in the recollection of the House when I say that the general impression he conveyed was—that, as a rule, the landlords did not behave well. The hon. and learned Member went off to Sutherlandshire and talked about deer forests, and then he came to London, but I could learn absolutely nothing from his observations. The Seconder of the Motion made, as he always does, a very interesting speech; but it had very little to do with the Motion. He gave us a most interesting disquisition, chiefly in regard to co-operative stores and village halls; but in my county, at least, nearly every village hall has been built by that much-maligned individual, the great landlord. As no definite proposals for altering the system of land tenure have been submitted, there is really nothing to vote about. By carrying the Motion the House will be binding itself to great and fundamental changes for which no reasons have been adduced. That being the case, I shall feel bound to give my vote for the Amendment.

(12.0.) MR. BRUNNER: One hon. Member who spoke awhile ago expressed his desire not to interfere with the property of the landlords unduly, and at that a cheer went up from hon. Members opposite. But we have been complaining all the evening that the property of those who are not landlords except in name, namely, the leaseholders, have been unduly interfered with, and we trust that hon. Members opposite—kindly men as we know them to be—will extend their sympathy to this class. I listened with the utmost regret to the words which fell from my hon. Friend the Member for Lanarkshire (Mr. D. Crawford). The body of laws known as the Land Law of England has no worse result than this, that they brutalise the men who benefit by them. My hon. Friend will, I believe, be as kind a neighbour in Lanarkshire as my neighbours the great landowners are in Cheshire. I have seen a great deal of the difficulty of obtaining a pure water supply in villages, and if only on this account I should like to see this power conferred not only on Town and County

Councils, but on all Rural and Urban Sanitary Authorities. Not long ago, I knew of a case of a landlord from whom the Sanitary Authority had obtained the lease of land from which to obtain water, charging a rent for the water obtained by his neighbours—most of whom were his tenants—while the waterworks were being executed. The water was running to waste, and though the landlord was losing nothing of any use to him he insisted on a rent. [*Cries of "Name!"*] No, Sir, I should be ashamed to give the name. I am not here to speak ill of my neighbours. The gentleman to whom I allude is a very kind man. He is respected wherever he is known, and comes of a Cheshire family, which has been respected as long as the records of this House have been on paper. Nevertheless, this man did not think it beneath him to charge a rent because his neighbours got the benefit of that which had cost him nothing whatever. If for no other reason than this, that the existence of this law hardens the feelings of the rich against the poor, I shall support the Motion.

(12.3.) THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): I have listened to the Debate with the greatest possible attention; but I confess I am very little wiser than I was when it began with respect to the specific object which hon. Members opposite desire to obtain by the proposal submitted to the House. For I am bound to say that a vaguer or more indefinite Motion, supported by vaguer or more indefinite speeches, I do not recollect having ever listened to. The general drift of some of the speeches was tolerably clear, and undoubtedly it seems to me unhappily to be the case that we live in days when some politicians, at all events, appear to have as one of their chief objects a desire to obtain popular applause and popular support by appealing to the not unnatural wish of some classes of the people to become possessed of property which is not their own. What is the Motion before the House? It asserts that a measure is urgently

needed to enable Town Councils and County Councils in England and Scotland to acquire by compulsion, if not by agreement, on what its supporters are pleased to describe as fair terms, such land within or adjoining their several districts as may, in their judgment, be needed for the requirements of the inhabitants. The first thing that occurs to me to ask is, What about the needs of the inhabitants in those districts who are to be deprived of their land? Surely their claims are entitled to some consideration; but those claims have not entered the minds of hon. Gentlemen opposite even for a moment. How has the Motion been supported? The hon. Member who seconded it referred to some observations which I made on a former occasion with regard to the principle of compulsion. I acknowledge—nobody in these days disputes it for a moment—that the principle of compulsion with regard to the taking of land for a specific or definite object that is proved to be for the public good is undoubtedly accepted. It has been accepted by the present Government, and we do not deny that the Legislature, if it think fit, has the right to take land by compulsion. But the Legislature is bound not to think fit to do so unless it is clearly shown to be for the public good. Has it been shown in any one of the speeches this evening that there is any specific or definite object for the public good in the minds of Gentlemen opposite for which they desire to obtain the assent of the Legislature to the acquirement of land by compulsion? The hon. Member who seconded the Motion spoke of the necessity of obtaining free libraries and cricket grounds in various places where they are needed; and he dwelt on the subject of Co-operative Stores in some districts, expressing the opinion that it is most desirable that the use of the village schools should be allowed for the purposes of those who wish to promote the formation of such societies. In that last observation I cordially agree with the hon. Member, for I think that the use of such schools for purposes of that kind would promote an object which is for the general

good of the inhabitants of the parish; but I have yet to learn that it is necessary that the House should assent to a vague proposition which would enable Town Councils and County Councils in all parts of the country to take land by compulsion under any pretext and for any purpose whatever. To whom do the people go when they want free libraries, cricket grounds, or public halls? Why, to the landlord of course. And can hon. Gentlemen opposite name any instance in which any landlord worthy of the name is not foremost in promoting such objects? Turning to the observations of the Mover of the Motion, I must say that in some respects I have never heard a more surprising speech. The Motion is one to enable Town and County Councils in England to acquire land by compulsion; yet the hon. Member found it necessary to travel to the North of Scotland for an illustration. He talked of the horrid scenes and the atrocities which occurred through the eviction of tenants in Sutherland.

MR. REID: I said devastation.

MR. CHAPLIN: The hon. Member may use what term he pleases. He referred to occurrences of 80 or 100 years ago. A more unfortunate or inaccurate reference could hardly have been made. What are the facts? I have myself had the opportunity of learning them from a man who devoted the whole of his life to the improvement and benefit of the people living in the interior of that country. The best proof of that is to be found in the monument erected to his memory. The fact is that year after year, owing to the climate and natural causes, the people were placed in such a condition of destitution, very often approaching starvation, that it became absolutely necessary for a landlord possessing any instincts of humanity at all to endeavour so to deal with the matter as to improve the condition of the people in the future. Steps were accordingly taken for the purpose of removing those people. [*Ironical Opposition cheers.*] Hon. Gentlemen would do well not to

*Mr. Chaplin*

cheer too soon. Steps were taken to remove those people from the interior, in which it was almost impossible for them to live, to the coast of the country. That was done for two reasons—in the first place, the land near the coast was far the most fertile in the county; and, in the second place, the people were thus enabled to supplement their agricultural pursuits by fishing. The hon. Member made the alleged misconduct of the landed proprietors one of the main props of his wretched, indefinite Motion, but let me give a few of the facts. What was the condition of the people? It was described by a man who had visited the country over and over again. The description given was that—

“During 1816-17 these people suffered the extremes of want and human misery, and they existed on the bounty of the proprietor. Those who lived in the interior and had no cattle subsisted on nettle broth thickened with a little oatmeal, while those who had cattle resorted to the device of bleeding them and mixing the blood with meal. Every exertion was made by the proprietor. To those who had cattle he advanced money to the amount of £3,000, and to supply those who had no cattle he sent meal to the amount of £9,000.”

That is the work of a single year on the part of a landed proprietor, and it is work that has to be done year after year in the County of Sutherland to preserve these people from starvation.

MR. REID: Does the right hon. Gentleman justify the Sutherland evictions?

MR. CHAPLIN: Unquestionably I do. Why ask me such a question after the statement I have made to the House? Would the hon. Member have justified the retention of those people in a perpetual condition of misery and starvation? When I learn that the hon. Member has ever performed any acts of justice and humanity at great cost to himself such as I have just described, I will admit, what I do not admit at present, the right of the hon. Gentleman to pose as a critic in this matter. Then the hon. Member referred to a matter of quite a different character. He said there was great pressure at the

present time for allotments and small holdings. The question of small holdings is one of great interest and importance, but as it is now under discussion before a Select Committee the hon. Member will excuse me if I reserve my opinion upon that question until the Committee has reported. The Party on this side of the House have not been backward in yielding to the demand for allotments, or in making arrangements and introducing legislation for their more numerous provision in the future. They have done so because they are convinced allotments are wanted. The hon. Member spoke of the tenants' precarious tenure of their cottages; but how does he propose to ameliorate their position? If the Local Authorities are substituted for the landlords, what guarantee is there that the tenants will be one whit better off? Nine labourers out of ten, if they were given the choice of holding their cottages either under an average landlord or under some Local Authority, some Parish Board, would not hesitate for a moment, but would choose the landlord. The hon. Member spoke of the uncontrolled power exercised by landlords over their land, and said that such power is injurious to the public interest. But whether it is injurious or not depends entirely upon how the power is exercised. Uncontrolled power badly used is undoubtedly most injurious to the public interest, and not only in the case of land. The same thing is true of the uncontrolled misuse of his income by any hon. Member in this House. Then the hon. Member said that the price to be given for land taken by compulsion is to be a fair price, and that by a fair price he means an honest price. But what is an honest price? Surely it is the worth of the land to the owner. Is that the view of the hon. Member, and is the owner to settle the price himself, or does the hon. Member desire that the land should be taken from the owner by compulsion, and that he

should be paid less than he wants or holds the land to be worth? The hon. Member for Haggerston (Mr. Cremer) said that the people wish to redress their wrongs; but what are the wrongs which the people wish to redress in connection with this question? I have failed to gather any clear notion of the hon. Member's meaning, unless it is that the wrong under which the people suffer consists in this—that, certain persons happening to be the owners of plots of land, other people wish to possess that land in their place. What wrong can there be in the fact that I or any other person may have acquired by purchase or inheritance certain parcels or quantities of land, and which not unnaturally some other people would like to possess? But the most extraordinary statement we have heard this evening came from the hon. Member for the Cirencester Division (Mr. Winterbotham). After warmly thanking the Mover of the Resolution for the course which he has taken, the hon. Member, in a burst of pious aspiration, said, "Thank God this is an abstract Resolution and not a Bill." I was not surprised at this pious aspiration of the hon. Member; because, although hon. Members opposite never lose an opportunity of talking upon this question, they have always been deplorably backward when opportunities for action have presented themselves. The hon. Member candidly avowed that this Resolution was a bid for the labourers' vote. "If you will not do this thing," said the hon. Member, "make room for us." But what would be the use of making room for the Party opposite? Would their conduct be different from what it has been in the past? The labourers have only too good a recollection of their attitude with reference to this question. I have endeavoured, I hope not at too great length, to criticise some of the statements and suggestions in speeches from hon. Gentlemen opposite, and I may be permitted, in a few words, to state my position and the position of the Government in reference to this question. We freely admit that the compulsory principle must be recognised when the acquisition of land is proved to be for a genuine, specific, beneficial, and advantageous public purpose. I do not think there need be any doubt in the minds of

hon. Gentlemen opposite as to our feeling when I remind the House, as I am justified in doing, that I was almost the first person in this House, many years ago, to advocate the compulsory principle in a Bill with regard to the payment of compensation by landlords to agricultural tenants. I believe, also, that I was the first person in the House, certainly one of the first on the Conservative side of the House, to propose that in regard to allotments compulsion should be admitted as a principle where land could not be obtained without it. We did that because we were absolutely persuaded, after careful inquiry, that both of these were objects of great public advantage, which in the public interest it was desirable, and indeed more than desirable, we should adopt. If hon. Gentlemen opposite will show us definitely some good which can be accomplished by their proposal, if they will submit propositions to the House of Commons at any time in a definite shape and in a definite manner, and will prove to us that they are for the public good and advantage, then they may be assured that the Government will not be backward in entertaining these propositions. But we must have before us something more than vague speeches supporting a vague Motion such as has been submitted to us to-night. Until we have something different before us I hope hon. Members on both sides will unite in showing their sense of this vague and indefinite Motion by voting against it.

(12.34.) MR. J. MORLEY (*Newcastle-upon-Tyne*): The right hon. Gentleman who has just sat down is not really an alarming speaker when he adopts the line he has taken up to-night; because we all remember that he took up the very self-same line when he met a proposal of this kind in reference to allotments, the moment it became serious, with what he described at the time as an "emphatic 'No.'"

MR. CHAPLIN: Will the right hon. Gentleman allow me to explain, as I have explained before, that when I gave that reply I said "No," not to the pro-  
*Mr. Reid*

position for a Bill for allotments, which we said the Government were ready to introduce; I said "No" to a Vote of Censure thoroughly undeserved, and to nothing else.

MR. J. MORLEY: At all events the result, if not the intention, of the right hon. Gentleman's emphatic "No" was to negative the proposal for compulsory purchase. The right hon. Gentleman cannot give an emphatic "No" to that statement?

MR. CHAPLIN: Yes, I can; a most emphatic "No." I am afraid the memory of the right hon. Gentleman must be very deficient. A Vote of Censure was moved on the Government for not including the mention of an Allotments Bill in the Gracious Speech from the Throne. I answered, on behalf of the Government, that the Government were prepared to introduce an Allotments Bill, a Bill in which, so far as I recollect, the principle of compulsion was included.

MR. J. MORLEY: This is the first time we have heard that the principle of compulsion was included in a Bill the House never saw or heard of. If the right hon. Gentleman wishes the House to believe that in January, 1886, he was in favour and the Government was in favour of compulsory allotments, of course I unreservedly accept his statement. I look forward very confidently to the day when possibly the right hon. Gentleman himself will bring in a Bill carrying out the proposals which to-night he is going to vote against. I look forward to the time when he will say the Government accept the principle of compulsion. He has said so to-night, but he also says that it is only honest that the landlord should fix the price. Is the House to understand that the right hon. Gentleman seriously maintains that land is to be taken by compulsion, but at a price fixed by the landlord? I can only say that to that proposition we give an "emphatic No." Anybody can see that the time is not very far distant when landlords will not be allowed to fix the price of any land that may be taken, as the Motion

suggests, by public bodies for public purposes. Anybody can see that such a principle as that is in these times undoubtedly doomed. The right hon. Gentleman has said exactly what he used to say upon allotments, that, when an improvement is required and land is required for the purpose, then the first person to go is the landlord. He used to say, in regard to allotments, that the people would rather go to a landlord than to a Local Board. True, there are many landlords to whom they would prefer to go, but these are the minority among landlords; but depend upon it the time has come when we have to accept the principle in legislation that popularly elected bodies must have power to acquire land for public purposes, or what they deem purposes of public utility; and if the right hon. Gentleman doubts that, I would refer him to the speech made to-night by one of the right hon. Gentleman's supporters. If he doubts the truth of what I say, let him weigh the speech of the hon. Member for Woolwich (Colonel Hughes). And, by-the-way, the right hon. Gentleman forgets, I think, the "Acquisition of Church Sites" Bill. He forgets that his own Party passed a Bill for the compulsory acquisition of church sites; but when an attempt was made to apply the same principle to chapels, a Gentleman who sits behind the right hon. Gentleman did his best to block that proposal, and to deny to Nonconformists the same compulsory powers that were given to Churchmen. The charge of vagueness has been brought against the Motion, and the able speeches in which it has been moved and supported. There was no vagueness in the able and, as I thought, most interesting speech of my hon. Friend the Member for Rotherham (Mr. Acland). There is no vagueness in the proposition of my hon. and learned Friend; and if anybody wants to know what the recommendations implied in the Motion are, I would refer him to no more recondite authority than the recommendations of the Town Holdings Committee. I am sure the President of the Local Government Board is well acquainted with those recommendations. The recommendations are not, it is true, all in favour of powers being given to County Councils, but they are recom-

mendations pointing in the direction in which they may be—probably will be—expanded for County Councils and Town Councils to have compulsory powers. The Committee recommended that all religious bodies to whom land had been granted on lease by the freeholder for a place of worship or school should be allowed to purchase the fee, subject to fair compensation; and similar powers were recommended to be given to educational bodies, even when not elected; also to provident societies with reference to their buildings; and, lastly, and most important, was the recommendation that any public body should have power to procure the enfranchisement of any building required for purposes of general utility, on the ground that security of tenure in such an instance is of great importance to the community. Therefore, the proposal of my hon. and learned Friend is no revolutionary one; in principle and in spirit it has been admitted and recommended by a Committee of the House, upon which, of course, there was a Conservative majority. So far from the proposal implied in the Motion being destructive or violent, it is no more than an extension—and no very violent extension—of the principle which the Government themselves admit and are carrying out in their Allotments Act. The principle of the Allotments Act is that a public body shall have compulsory power to satisfy a certain kind of public demand. Where is the revolutionary character of a proposal to extend the same principle in the direction of other requirements which a locally-elected body may choose to think are requirements of public utility? I am quite sure that the hon. Member for the Cirencester Division (Mr. Winterbotham) gave exceedingly good advice when he said that to assent to, and still more to carry out in legislation, the principle involved in this Motion is a sure and the only way of avoiding a tremendous tide, which, if we do not meet it in time, will submerge a great many institutions which we on this side of the House value as much as hon. Members opposite. The hon. and learned Member who moved the Amendment to the Motion has taken up a position which I am sure Gentlemen sitting near the hon. and learned Gentleman must have

heard with some consternation, and which will hardly be supported by them, however they may vote to-night. There are not 50 Gentlemen on the opposite Benches who will take the position of the hon. and learned Member, namely, that all these transactions are to be left purely and simply to the principle of demand and supply.

MR. AMBROSE: Indeed, I never said anything of the kind. I said that private transactions between man and man should be so regulated; but I admitted that upon legitimate ground being shown a Public Authority might take compulsory powers for public purposes.

MR. J. MORLEY: Then I must say that very elaborate passages in the speech of the hon. and learned Gentleman were ill-conceived and not addressed to the Motion before the House. I am sure the House understood the hon. and learned Gentleman to have insisted on competitive rents remaining the law in the case of all these transactions in which public bodies might have concern; and, that being so, I think that my hon. Friend behind me has not pressed the hon. and learned Member too hard when he said that the Amendment rested upon nothing stronger than the old and, as I should have thought, almost universally repudiated, principle that a landowner can do what he likes with his own. I do not believe that that principle is now accepted in any quarter of the House, except perhaps by the hon. and learned Member himself. The speech of the hon. Member for Woolwich is a fair answer to the hon. and learned Gentleman. The subject of this Motion is one which undoubtedly, as years go on, will constantly be brought before the House. Large Municipalities, and small Municipalities also, will not endure that their expansion should be throttled and the conditions of their growth checked by the assertion of privileges, or it may be of the legal rights of owners of land,

*Mr. J. Morley*

hostile to the welfare of those who have given to that land its real value. The question of the unearned increment will have to be faced within a measurable distance of time. It is unendurable that great increments which have not been earned by those to whom they accrue, but have been formed by the industry of others, should be absorbed by people who have contributed nothing to that increase. I remember when Mr. John Stuart Mill broached the doctrine 20 years ago. Mr. Mill was the last man to accept any modern doctrine of taking land without fair compensation; but if the doctrine of the unearned increment had prevailed at the time when he was speaking with reference to some of the great London proprietors, enough would have been intercepted to satisfy all the public purposes which it is now proposed to meet, and the demands of a great society like that of this Metropolis would have been fairly satisfied, without doing an injustice to a single landowner. These doctrines are in the air, they are now put forward, not quite for the first time, but almost, in this House. The discussion we have opened to-night will not be the last, but is the first of a series of discussions; and it is because I think that the Motion points towards a solution of the problem which is reasonable and moderate and involves no breach of equity towards any owner of property that I shall give it my most hearty support.

(12.50.) The House divided:—Ayes 159; Noes 175.—(Div. List, No. 74.)

Words added.

Main Question, as amended, put, and agreed to.

Resolved, That this House, while ready to consider definite proposals for conferring on County Councils and Town Councils such further powers as may be shown to be needed for the requirements of the inhabitants within their jurisdiction, declines to assent to a general proposition which neither defines the nature of the requirements nor the mode in which they are to be met.

It being after One of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at five minutes after One o'clock.

## HOUSE OF COMMONS,

*Wednesday, 7th May, 1890.*

## QUESTIONS.

## THE NORWICH CHARITIES.

MR. S. HOARE (Norwich): I beg to ask the hon. Member for Penrith whether the Charity Commissioners will re-consider those provisions of the scheme for the regulation of Doughty's and other Associated Charities at Norwich, by which the receipt of Poor Law relief within a stated period prior to appointment is made a disqualification for admission to the almshouses of the Charities, with a view to the reduction of the period so prescribed?

MR. J. W. LOWTHER (Cumberland, Penrith): The Charity Commissioners will be prepared, upon receipt of a proper application, to re-consider the provisions of the scheme for Doughty's and other associated Charities at Norwich, with a view to reducing from three years to one year the period of disqualification for admission to the almshouses.

MR. J. J. COLMAN (Norwich): Will the Charity Commissioners assent to the printing, as a Parliamentary Paper, of the correspondence between the Corporation of Norwich and themselves?

MR. J. W. LOWTHER: I think, perhaps, it may meet the views of the hon. Member if he is supplied with a copy of the correspondence which has taken place. The matter is hardly of sufficient public interest to justify us in going to the expense of printing the whole of the correspondence. If the hon. Member will communicate with the Office he can see the file, and a copy will be supplied to him of the correspondence. He can then make what use of it he likes.

MR. J. J. COLMAN: I have the correspondence; I wish it printed as a Parliamentary Paper. I intend, hereafter, to move for it; and I should like to know if the Commissioners will assent to the Motion?

MR. J. W. LOWTHER: I do not think we have any objection, except on the ground of expense. The matter is not of exciting public interest, and the Treasury may object to accede to the hon. Gentleman's demand.

## EDUCATIONAL ENDOWMENT (SCOTLAND) (FERGUSON BEQUEST FUND) (ANSWER TO ADDRESS).

THE COMPTROLLER OF THE HOUSEHOLD reported Her Majesty's Answer to the humble Address of the 17th day of March last, as followeth:—

"Gentlemen of the House of Commons,

"I have received your Address praying that I will withhold My Consent to the Scheme of the Educational Endowments (Scotland) Commissioners for the management of the Endowment known as the Ferguson Bequest Fund.

"I will withhold My Consent in conformity with your advice."

## EDUCATIONAL ENDOWMENT (SCOTLAND) (REDHYTHE BURSARIES, &amp;c. FORDYCE) (ANSWER TO ADDRESS).

THE COMPTROLLER OF THE HOUSEHOLD reported Her Majesty's Answer to the humble Address of the 31st day of March last, as followeth:—

"Gentlemen of the House of Commons,

"I have received your Address praying that I will withhold My Consent from that part of the Scheme of the Educational Endowments (Scotland) Commissioners for the management of the Endowments in the County of Banff, known as the Redhythe Bursaries, George Smith's Bounty, and the Stuart Mortification, which consists of and is contained in following words of Section 26 of the said Scheme (that is to say) 'or with the consent of the Governors at any School where higher instruction is efficiently given which the Bursar could attend while living with parents or relatives.'

"I have given directions for these words to be omitted accordingly in compliance with your advice."

## EDUCATIONAL ENDOWMENT (SCOTLAND) (ORPHAN HOSPITAL SCHEME) (EDINBURGH) (ANSWER TO ADDRESS).

THE COMPTROLLER OF THE HOUSEHOLD reported Her Majesty's Answer to the humble Address of the 31st day of March last, as followeth:—

O



'Gentlemen of the House of Commons,

"I have received your Address praying that I will withhold My Consent from the Scheme of the Educational Endowments (Scotland) Commissioners for the administration of the Orphan Hospital, Edinburgh, and I will comply with your advice."

### ORDERS OF THE DAY.

#### CHARITABLE TRUSTS BILL.—(No. 8.)

##### SECOND READING.

Order for Second Reading read.

(12.28.) MR. RATHBONE (Carnarvonshire): Mr. Speaker, the provisions of the Bill now before the House are very simple, and intended to meet two admitted blots in the Charitable Trusts Bill, in consequence of which large funds, intended for charitable uses, are constantly being wasted, or diverted from public objects. Both Parties, when in power, have tried to remedy this evil, but unfortunately the measures which would have done this, were of so extensive a nature that though Lord Cairns in 1879, and Lord Selborne in 1881, introduced measures to deal with the question on the lines of the present Bill, and although a Committee in 1884, presided over by the Member for Bradford (Mr. Lefevre), and composed, of course, of Members from both sides of the House, reported unanimously in favour of the Amendments proposed in the present Bill, time has never been found to carry out the considerable measures of reform which were recommended; and this unfortunate and discreditable waste of money continues constantly to present scandals, which are a cruel injustice to the poor, who are thus defrauded, and I venture to think is not conducive to confidence in the promptitude and efficiency of our legislation. The promoters of this Bill have no personal grievance against the present system, but the Debate on the Vote on the Ecclesiastical Commission, in May, 1889, impressed upon them the necessity of putting a stop promptly to what is really a public scandal. It will be seen that they belong to both sides of the House. The only two Members on the Conservative side of the House who

sat on the Commission of 1884 warmly supported the Bill. Its principles have had the approval of three Lord Chancellors, including the present one, and it is warmly supported by all the Liberal Members of the Committee of 1884, including the Chairman of the Committee, whose unwearied patience and thorough investigation of the whole subject, and the moderation of his Report, which carried I believe, the unanimous support of the Committee with him, will, I trust, bear fruit some time in a complete revision of the subject. But in the meantime he most cordially supports the removal of this, the most pressing evil calling for remedy. The Committee of 1884 were unanimous in reporting that—

"There is no ground for maintaining the limit in the Act of 1860 in respect to charities with an income of over £50 per annum, but a further step should be taken for transferring to Commissioners the powers exercised by the High Court of Justice for the control and reform of mischievous or wasted Charities."

For ample proof of such waste and misappropriation, I would refer the House to the evidence in the Report of 1884, summed up in Question 626 to 635, 641 to 655, 642 to 650; also Question 182 to 194, and 348 to 478. You will find one case where the income was £900 a year, £595 of which was spent in supervising the expenditure of £369. In the case of a charity of £10,000 a year, only £1,700 was utilised for charity, the whole of the remainder being spent on management. To deal with such cases, the Commissioners have to go to the expense of setting the Attorney General in motion, and bringing an action in the Court of Chancery, with all the attendant expenses. There is a case of a man who had £10,000 a year, who contended he was a proper recipient of the charity of a Trust, because he was poor compared with his brother, who had £20,000 a year. The hon. Member for Penrith (Mr. Lowther), who represents the Commission in the House, will be able to tell you that these scandals are still coming before them monthly, and that they have no power to prevent them. And is it not the height of absurdity that before you can, without an expensive Chancery suit, impoverishing the charity, interfere with men who

are wasting, or even misappropriating charitable funds, you must ask the sanction of the very men who are neglecting their duty, or misapplying or even paying themselves for mismanaging Charitable Funds. You might as well require the policeman to ask permission from the thief, or other breaker of the law, before he interfered to prevent his continuing his misconduct. Clause 3 of the Bill is merely to remedy an oversight, in consequence of which, as the law now stands, if a charity has been obliged to get Parliamentary sanction for some change of Trust or some other matter, even though the Trustees themselves and those who thus benefit by the Trust, the Government and the Commissioners all combine to wish some needed improvement, it is impossible to do it without an Act of Parliament, and its inevitable, and, therefore, often prohibitory expense and delay. This matter needs no argument, and I am sure the House will see that the abuses ought to be remedied. I am very sorry that I have been able to lay before the House so imperfectly this question, particularly as I will be followed by the Mover of the Amendment who is a practical speaker, and who will be able to put his case with greater ability before the House than I have been able to put mine, but the scandal and abuses are so clear that I cannot but hope that the House will assent to the removal of these blots from the management of our charities. I have great pleasure in moving the Second Reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Rathbone.*)

\* (12.45.) Sir A. ROLLIT (Islington, S.): Mr. Speaker, I beg to move the Amendment for the rejection of the Bill. The hon Member said the Bill was simple and short. That description is not inconsistent with the character I am going to give it, that of being the most sweeping, comprehensive, and general proposal, and one much too inclusive for the purpose of achieving the objects which it has in view. I should not for a moment think of defending any of those scandals or abuses to which the hon. Member has referred, and, where they

exist, I quite agree that it is desirable to save to the poor the means of help which have been given them. In the present state of the law, it is true there may be some difficulties in that direction, but they are not so great as have been described by the hon. Member. The present Bill contains remedies which will be effective I do not doubt for a moment, but they carry with them objections which I think will be shared by hon. Members after the discussion on the subject. Though I quite grant that the Mover of the Amendment is actuated by high sentiments, still I feel that the present Bill would, in the end, instead of having a beneficial, have the contrary effect upon the charities of the country. It is towards that point my observations will be directed. To appreciate the full effect of the Bill, it is necessary to trace the growth of the powers of the Commission. In 1853 the efforts of the Charity Commissioners were directed to the reform of obsolete charities, to adopt them to modern ideas, and to remove what was called the "dead hand"—the surviving influence of the pious founder, whose charities were frequently crippled by restrictive provisions long out of date. I grant the Charity Commissioners, in dealing with these restrictive provisions, have done a useful work, and have rendered the charities beneficial to the poor recipients with corresponding advantage to the country. But ever since the formation of the Commission in 1853, its object has been very greatly to extend its powers. The Commission has not only a good opinion of itself, justified generally speaking, but it is strongly of opinion that every one else, even those who live in the locality where the charity is administered, are impotent to effect the good for the recipients that can be achieved by the Commission itself. The Commission was originally limited to charities, the gross income of each of which was less than £30 a year; afterwards the power was extended to charities with incomes of not less than £50 a year. Since then, several attempts have been made to further extend its powers. The hon. Member for Carnarvonshire was quite right when he said Bills were introduced in 1881 and 1883.

MR. RATHBONE: And 1879.

\*SIR A. ROLLIT: There may have been even more than two Bills. The hon. Member referred to the chorus of approval with which those measures were introduced. He never referred to the Debates in the other House, or I think he might have added that they were subjected to criticisms by Lord Salisbury and other noble Lords—criticisms which, it appears to me, might very well be applied to the present Bill, which, though in one sense more limited, is in others very much more inclusive than the Bills to which I have referred. There are, moreover, remedies for the abuses which exist, and remedies which have been applied. There is the remedy of gaining the consent of the Trustees. Although that consent may have been refused in some cases, I believe I am correct in saying that many charities have been modified with the concurrence of those who have taken part in their local administration. And if there have been exceptional instances to the contrary, I am in favour of providing some remedy of a less drastic character than that proposed by the Bill. There is also a right of access to the High Court for the purpose of constructing schemes, when they are in accordance with the general intention of the founder, though adapted to modern requirements. Again, if the doctrine of *cy près* is not applicable in any particular case, then Parliament may be resorted to, and under the direction of Parliament schemes have been modernised and made more beneficial. Now, Sir, the Trusts which would not be benefited by the Bill, but the contrary, are the larger Trusts in our towns—Municipal Trusts which are administered in our great towns, and which at present attract the active interest and co-operation of a class of men, the value of whose work is inestimable, and who would be deterred from taking further part by a measure which would transfer all the power from them to the Charity Commissioners, rendering themselves comparative nonentities in the administration of those charities. What does this short and simple measure do? By the 2nd clause it enables the Charity Commissioners to make orders under Section 2 of the Act of 1860, in the case of all charities,

“Upon the application of the Attorney General, or of any person or persons referred to in the said section two as authorised to apply to the Board for orders, in the same manner as they have power to make orders under the said section two in case of charity, the gross annual income of which does not exceed fifty pounds.”

So, by a few simple words you have the extension of the jurisdiction of the Charity Commissioners to all incomes of over £50. By the removal of that restriction the most inclusive and unlimited jurisdiction is given to the Commission. Section 3 of the Bill is—

“Any provisions relating to a charity contained in any Act of Parliament establishing a scheme approved and certified by the Board under Section 54 and the following sections of the Charitable Trusts Act, 1853, or in any Act of Parliament other than a public general Act, may be from time to time amended or altered by a scheme of the High Court of Justice, or of the Board in the exercise of its ordinary jurisdiction, as effectually as if the trust created by, and the provisions contained in, such Act had been established by the founder in the case of a charity having a founder.”

I have seldom read a more comprehensive section than this, and I contend that the effect of this measure, if passed, would be to give absolute control over the destiny of any charity, from the largest of our hospitals to the smallest of our village foundations, with the exception of the cases in which half of the funds are subscribed voluntarily, and of religious institutions. With those limited exceptions, the result of this measure would be to give the sole and exclusive control to the Charity Commissioners. The Commissioners would be able to divert any particular fund or the general funds of a charity; they would be able to form schemes without any reference to the wishes of the locality; they would be able to re-make the wills of founders; and they might alter any private Act of Parliament relating to such charities. All this might be done, not as in the past in Parliament, and subject to discussion in this House; not under the check of any public Debate whatever; but in the room of the Charity Commissioners, where there can be only a very limited audience, and where, under the provisions of the measure, there need be no Conference at all. If this Bill passed, in future it would only be a matter of courtesy if the Commissioners received

the Local Trustees. We have heard of the dead hand, the influence of which has passed away in many cases. But by this Bill the Local Trustees are put on one side by a living hand, and the whole of this important work, which is essentially of a local character, is to be put into the hands of a Public Department without any material check upon it. We have heard something of the action of Local Charity Trustees. There are in our large towns numbers of men who will be interfered with by this Bill—men who make sacrifices of their time, and incur much trouble in the administration of Local Charities for the benefit of the poor, who highly appreciate their services. I feel quite sure that the Bill, if passed, would restrict the interest they take in the work, and I am convinced the House will gravely consider before it disturbs a local administration of these charities which has hitherto been successful, and which has not, indeed, been specifically impeached, except in one instance, by the Mover of the Bill. I am aware that in general terms the hon. Member did incorporate other instances, but I think he only alluded to one specifically. On the other hand, I know of a great many instances of a contrary character which would be covered by this Bill in a way which would be otherwise than beneficial. I say that the Local Charity Trustees, as a rule, have done that which has been to the advantage of the charities. Many times they have had differences with the Charity Commission—sometimes chronic differences which have lasted for years, but I would add to the opinion I have already expressed, that when these differences have taken place, generally speaking in the case of the larger charities, the Local Trustees have been in the right, and the view of the Charity Commissioners has been open to serious and successful challenge. Cases can be mentioned in which the Local Trustees have taken exception, and rightfully so, to the action and inaction of the Charity Commission. In the first place, it is alleged, and I think with some truth, that there are few Departments in which there are so many delays which are prejudicial to the interests of local charities. Very often we hear of these interests being neglected, and it

would not be hard to prove that the difficulty has been in London rather than in the locality, and that it has been almost impossible to secure a definite course of action on the part of the Commissioners. Great delay takes place with regard to the transfer of property, and the investment of funds. It required years to induce the Charity Commission to consent to the investigation of charity funds in Corporation Stock—one of the best and safest forms of investment and one generally associated with the locality in which the charity exists. Well, I will give two instances where I think the action and inaction of the Charity Commission has been open to criticism, and where the Local Trustees have been right. The first of these is the case of the Grammar School at Hull. I am quite aware that this would not be materially affected by the Bill, but, on the other hand, the Bill would give additional and unrestricted powers to the Charity Commissioners, and, if in the course of their administration of a local charity, they have taken an unwise course in opposition to the wishes of Local Trustees that affords a strong reason against arming the Commissioners with these unrestricted powers. So far back as 1879 the Grammar School, an old and historic building, having become dilapidated, application was made for power to realise the property, with a view to the erection of a new building. Not until 1882 was an order made for the sale of the property, and when it was made the order contained directions—or, at any rate, specified the object—for the erection of a new building to replace the old one. The old school was sold, and plans for the new building approved by the Charity Commissioners. In 1882 the new site, also, was inspected and approved, but will it be believed that though the funds were transferred to the Official Trustee, they have been lying idle ever since, and the land has been let instead of the school being erected. The ground of the refusal to act, notwithstanding continual protests, is that there is no endowment provided for the school, but this point was only raised after the sale of the old property and the purchase of a new site. There was no material endowment of

the old school. Notwithstanding the disadvantage of the school being held in a building unfitted for the purpose, the attendance increased by hundreds, and its work was most successful. True, now, owing to a large bequest to another school, the urgency is not so great, except for the scholars in the Grammar School, but the fact remains that although there was but a small endowment, the Commissioners had in their hands the funds produced by the sale of the old school, yet nothing was done towards the erection of the new school, and this affords a notable instance of the wise action of Local Trustees being balked by the inaction of the Commissioners, and by their resistance to a very reasonable request. Another instance is afforded from the same town. Some years ago it was proposed to sell some small almshouses and devote the proceeds to educational purposes. I, as one of the Trustees, and in my interest for the cause of education, concurred in the proposal. However, local sentiment was evoked, and strong local feeling expressed against the transfer of charitable funds to educational purposes, and ultimately the Commissioners were over-ruled and the transfer did not take place. The result has been that a splendid institution has been erected in Hull, which is doing admirable work. I give that as another instance in which the action of the Local Trustees was right, and the action of the Charity Commissioners wrong, although at the time I concurred in it, of which I repented, while they have not. I am only too glad that the charitable funds have not been diverted to educational purposes, but have been retained so beneficently for the purposes of the poor. The feeling against the unrestricted power of the Charity Commissioners is particularly strong in Hull. The Local Trustees consist of 20 of the leading men of the town, and the Trust is identified with the Corporation. At a recent meeting of these Trustees the proposals in this Bill were unanimously condemned as against the interest of the recipients of the charities. Both the Trustees and the Corporation have petitioned against the Bill. Hull has had considerable experience in these matters, and the attitude of the gentlemen to whom I have alluded forms a

*Sir A. Rollit*

strong ground for believing that our Municipalities do not think that the Bill will improve the administration of local charities. The criticism of the Charity Commissioners is most noticeable in cases of educational charities, which are entirely placed under their control, and, therefore, I protest most earnestly against the control of all the local charities being handed over to them. There can be no doubt that the Local Trustees are better qualified by a knowledge of the local requirements of a district to manage its local charities. The Charity Commissioners, on the other hand, wish to centralise the control of all the charities in their own hands. The tendency of the present day, however, is in favour of decentralisation instead of centralisation. Even in a progressive country like Germany, State action has the effect of neutralising private interest and private enterprise, and lessening that personal sympathy which ought to exist in the administration of Charitable Trusts; it also has the effect of creating a feeling that the State ought to do all those things that are now done by private individuals. Nothing would be more regrettable than that such a state of affairs should spring up in this country. It is impossible to over-estimate the value to the recipients of charity of personal sympathy, such as that of Local Trustees, who are many of them men who devote the whole of their time to the improvement of the condition of the poorer classes. If I thought the public interest would be served by this Bill I should vote for it; but it is because I feel that the effect of such a measure would be to greatly restrict donations and bequests for charitable purposes that I am under an obligation to do what I can to defeat the Bill, which, though short and simple, is in all its characteristics far too inclusive in dealing with all the great charities of the country. The recommendations of the Committee of 1884 are systematically ignored in this Bill. That Committee recommended that the appeal to the High Court should be retained, but there is no qualification in this Bill which retains that appeal. The Report of the Committee of 1884 further recommended that where a change that is sought to be

made is greater than the Court would sanction under the *cy près* doctrine, the scheme should be laid before Parliament and a Standing Committee formed for the purpose of supervising and considering such cases. In this measure there is no provision whatever for Parliamentary supervision. On the contrary, from the wording of Clause 3 such work may be done by the Commissioners in the exercise of their ordinary jurisdiction. There was a further recommendation in the Report of 1884 that provision should be made for the more direct recognition of the wishes of the locality. There are no such words in the Bill before the House, although that seems to me to be an absolutely essential check upon the action of the Commissioners. The Report of 1884 goes further and recommends that the initiative in the matter of such schemes should be in the hands of Municipal Corporations, and—anticipating the Act of 1888—of County Authorities. The very essence of the restrictions recommended in the Report of 1884 is the interest of the localities; but this Bill confers powers on the Commissioners without consideration for the interests of the localities. The House should, I think, pause very much before giving effect to this measure, which does so much which is highly objectionable. It provides powers of a most inclusive character, it provides for centralisation, it ignores local feeling and co-operation and local interest and sympathy, and it does not provide the local and Parliamentary checks which are so strongly recommended by the Parliamentary Committee of 1884. Such a Bill ought not to be passed by the House, and I feel I have no alternative but to move its rejection.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir Albert Rollit.*)

Question proposed, "That the word 'now' stand part of the Question."

\* (1.25.) **MR. SAMUEL HOARE** (Norwich): In rising to second the Amendment I should like first to say that I fully appreciate the reasons which have actuated hon. Members who

have introduced this Bill. I agree with the hon. Member for Carnarvonshire that delay in the introduction of needful reforms is dangerous, and that it is no use locking the stable door when the horse is stolen; but my view is that we should not lock the stable door until the horse is supplied within the stable with everything he requires to enable him to live a comfortable and healthy life. My feeling is that if we lock the door by this Bill we shall only give rise to irritation and difficulties and weaken, rather than strengthen, the work of the Charity Commission. I feel that I must support my hon. Friend, and ask the House to support him too, in voting against the Second Reading of the Bill. I would ask the House to do this in its own interest, in the interest of the Charity Commissioners, in the interest of the Local Trustees, and last, though by no means least, in the interest of many thousands of poor people who are deeply interested in the question, and who have great difficulty at the present time in expressing any opinion on these matters which are of vital importance to themselves. I think the House should oppose this Bill in its own interest, because, as my hon. Friend has said, it practically ignores the recommendations of two important Committees, and in the interest of the Charity Commissioners, because it ignores their wishes as expressed in their last Report. The Bill gives greater powers to the Commissioners, and does not provide for representative bodies having a voice in the consideration of schemes in their own parishes; and, further, it does not give the Commissioners any wider powers for meeting the wishes of those most interested in the administration of the Charities. Lastly, it does not lay down a principle under which a new scheme can be discussed. There is only one kind of scheme on which the House has an opportunity of expressing its disagreement, and that is a scheme under the Endowed Schools Act. A great number of schemes have emanated from the Charity Commissioners in such a way that it is very difficult for the people interested in them to express their disapproval of any part of them. There are, I know, provisions for opposition to schemes to be brought forward; but the opposition has to take

place before a Court, and it cannot be undertaken until the people have proved their right to appear. It is very desirable that there should be some change so that anybody interested in a scheme, and who wishes to express disapproval of it, can do so without cost to himself, and without having to call in the law to assist him. I realise that the Charity Commissioners are very careful before framing a scheme to take the opinion of the people in the locality; but I am trying to prove that when a scheme is issued it is very difficult indeed to bring any opposition to it before the Order is finally settled. I know there are other ways in which charity schemes are issued. I am aware that the Attorney General has power to issue a scheme, with which the Charity Commissioners have nothing whatever to do; and then there is one other kind of scheme which comes before the House, a scheme framed by Act of Parliament, which can only be altered by another Act of Parliament. The Commissioners say there is considerable hardship and inconvenience from this cause, and they hope there will be legislation on the subject. I regret provision is not made in this Bill to cover this point. But, at the same time, I base my opposition to the Bill mainly on the ground that the recommendations of the two Committees who went carefully into the system of the Charity Commissioners have not been adopted in the Bill. My hon. Friend has alluded to the 1884 Report; but he did not read that clause in which the Committee say—

"It is of the greatest importance that full public inquiry should be held before any scheme is eventually assented to."

My hon. Friend alluded to the fact that the Committee recommended that Municipal and Representative County Authorities formed the best bodies to initiate charity schemes. There is no allusion in the Bill to that point. All those of us who in our own localities have seen the difficulties that have arisen from there not having been sufficient public inquiry before a scheme has been settled, must realise that it is of the utmost importance that, before giving further powers to the Commissioners, there should be provision made to enable the poorest people affected by the scheme to express their views upon

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it without cost to themselves. There is another point worthy of consideration. The Committee on the Endowed Schools Act, who reported in 1887, recommended that greater publicity in respect to schemes under the Act should be given during the initial and subsequent stages; and that it was desirable that the wishes of the locality should be more consulted, and that in their administration the Governing Body should be left more unfettered. There is a feeling in many districts that while the Commissioners have endeavoured to do all in their power to formulate fair schemes, the poor people have had no opportunity of expressing their wishes, or if they have had that opportunity, it has involved great cost. As both of the Committees to which I have referred have recommended that charity schemes should be submitted to the representative bodies in the districts affected, I cannot agree to any extension of the power of the Commissioners, unless provision is made for that. The Commissioners have, no doubt, endeavoured to get the local opinion, but there is no distinct arrangement by which they are to do it. Indeed, I think it will be found they are only to use their discretion as to the publicity they may deem necessary. I know of a scheme which was only advertised twice in one local paper, and put up on the door of the Town Hall and the parish church. That, I am sure the House will agree, was hardly sufficient publicity to give to an important scheme. I am especially anxious that Local Representative Bodies should have every scheme affecting their districts come before them. I am aware the hon. Member for Penrith (Mr. J. W. Lowther) will say that any Municipal Corporation or County Council who wish to see a scheme is at liberty to pass a Resolution asking for the scheme; but I think it would be very much better that Representative Bodies should receive such schemes as a matter of course, and that the schemes should lie on the table of the Local Council for a certain period before it can come into force. The large constituency I represent has been fortunate in having many charities, which I have had several times to bring before the notice of the House, and I thank the Commissioners for the attention they

have always given to the wants and requirements of our city. But, at the same time, I feel they are bound too tightly by the present law; that if they are to meet the wishes of the localities it will be necessary that the House, when it gives them wider powers to deal with charities, should give them further powers, so that they are not necessarily to be tied down or fettered by decisions of the Court. I scarcely like to touch on the legal question; but I understand, from answers given in the House, that it is held by the Judges impossible for the Commissioners in any way to relax the provision that people in receipt of pauper relief should receive no benefit from a charity, on the ground that it would be relieving the rates. In our city a great number of citizens are greatly dissatisfied with one scheme, about which I asked a question to day, because they believe that when it was framed they did not have sufficient opportunity of expressing their opinion against it. They would have liked to raise the question whether the rule as to relief could not have been relaxed. That is a question with which the House ought to deal. I know the case of a man who has brought up a family for years, in the midst of great difficulties, without going on the rates, but who, owing to an accident, was bound to call in the parish doctor. In consequence of that he is debarred from receiving any benefit from the charity, as things stand at present. This man has a very good character and is a credit to the place; but he cannot benefit from the charity, whilst persons of indifferent character are entitled to receive dole. The Commissioners should have power, when the citizens wish it, to relax the rule. There is another reason for my opposition—if the Bill is passed it will be a retrograde measure. Of late years we have been doing everything to give the people in localities a voice in the management of their own affairs, the control of enormous funds, and even of Imperial funds; yet on the question of charities, money left to a special locality, we propose to give the Commissioners sole charge. I desire that we should be consistent in the matter. Let us carry out the principle of letting the people manage their own affairs to the

end. We certainly should not give the Commissioners further powers unless we provide that the people of the locality shall have a voice in the matter. It is no use framing schemes in which the people have no confidence. Whilst we have Local Representative Bodies, why should they be distrusted in such matters? Holding these views, I shall support the Amendment this the Bill be read a second time on this day six months, and I hope the House will not undo the great good which has been done by the passing of the Local Government Bill.

\*(1.50.) MR. SHAW LEFEVRE (Bradford, Central): My hon. Friend the Member for Carnarvonshire (Mr. Rathbone) rightly said this measure consists of two clauses taken from the Bill I had the honour to introduce in the years 1883 and 1884 on behalf of the then Government, and which in 1884 was sent to an important Committee, which unanimously recommended its provisions. My hon. Friend has done very wisely in confining the Bill to the two clauses, and in not entering into the more contentious matter contained in the original Bill. By so confining his measure, I think he will receive the almost unanimous support of the House. The hon. Member for Islington (Sir A. Rollit) has said the Bill is due to the ambition of the Charity Commissioners, and to the desire of that Body to centralise and increase their powers. That is certainly not the case. The Bill is due to the fact that successive Commissions and Committees, from 1835 onwards, have all been strongly in favour of giving the extended powers to the Charity Commissioners which the Bill proposes, for the purpose of putting an end to the serious scandals which exist. In 1835 there was a Committee of the House of Commons, on which Sir Robert Peel and Lord John Russell served, and which recommended that the very provisions before the House should be adopted; and the same provisions were included in the Bills of 1853 and 1860, and also in the Bills which were introduced by Lord Cairns and Lord Selborne in the other House, and in the Bill of 1884. The hon. Member for Islington went on to say that no cause for the Bill has been shown. If hon.



Members will refer to the Report of the Committee of 1884 they will find innumerable cases of the grossest mal-administration of charities and of abuse quoted by Sir Henry Longley and other gentlemen. Let me mention one case—that of Tewkesbury. There were a number of Bodies of Trustees in Tewkesbury with a total income of £1,300 a year. £700 of this sum was devoted to doles of money to the poor, though everyone knows that doles of money only do mischief to the class of people to whom they are given. In 1879, at the instance of the Chairman of the Board of Guardians and others, an inquiry was held by the Charity Commissioners, which resulted in the framing of a scheme for amalgamating the various Bodies of Trustees. The Trustees of two of the charities refused to give their consent, and they have continued to distribute money to the infinite mischief of the poor of the town. Then there is the case of Brown's Hospital at Stamford, which has an income of £1,200 a year. Only 12 almspeople are maintained; but there is a warder with a salary of £375 a year, and another official, a confrater, with a salary of £200 a year. A few years ago, in consequence of the depression of agriculture, the income of the charity fell off, and the Trustees found themselves unable to maintain even their 12 almspeople. The Charity Commissioners interfered, and urged the Trustees to reduce the expenses of management, and to do away with one or other of the expensive officers. But the Trustees declined to act on the advice of the Charity Commissioners, and actually, at the very moment that the rents were not sufficient to maintain the almspeople, they appointed a new confrater at a salary £200 a year. At present such charities cannot be reformed except with the consent of the majority of the Trustees. The Committee of 1884, on which there were many important Members of the House, unanimously came to the conclusion that the evils ought to be redressed in the manner proposed by the Bill. The hon. Member for Islington has pointed out some objections to the Bill in matters of detail, and has said that the measure itself will not even carry out the views of the Committee of 1884. I think I shall be able to show that the

*Mr. Shaw Lefevre*

hon. Member is wrong in all the three cases he referred to. His first objection was that there would be no appeal to the Court of Chancery under the Bill. I think he is altogether wrong. It is quite true there is no clause in the measure conferring an appeal, but an appeal exists under the present law, and as it is not repealed by the Bill it will continue to be in force. If that is not so, it is a difficulty which can easily be remedied. The hon. Member next stated that although the Bill sanctions changes in a proposed scheme there is no provision to require any change to be laid before Parliament. I think my hon. Friend is wrong also in that respect. The Bill gives the Charity Commissioners no power whatever to frame schemes diverting the funds of a charity to any greater extent than is now permitted under the *cy près* doctrine of the Courts of Law. There was a clause to that effect in the Bill of 1884, and it was provided that in such cases the schemes sanctioned by the Charity Commissioners should be laid before Parliament. But the present Bill gives no such power, and therefore it does not seem necessary to require that the schemes sanctioned by the Charity Commissioners should come before Parliament. Thirdly, my hon. Friend said that there is no provision in the Bill requiring the Charity Commissioners to consult the Local Authorities. Now I, myself, hold that it is of the greatest importance that there should be a consultation with the Local Authorities, and I entirely agree with everything my hon. Friend said on that point. Especially since the constitution of County Councils I think it is most desirable that they should be consulted in cases of this kind; but I am bound to say that action has already been taken upon the recommendation of the Committee of 1884; and I am assured by the Charity Commissioners that in all cases the circumstances are laid before the Local Authorities and their views obtained. If my hon. Friend desires to go a little further, and to make it obligatory by statute that all the circumstances should be laid before the Local Authorities I have no objection, and I am sure that my hon. Friend the Member for Carnarvonshire (Mr. Rathbone) would not object to such an amend-

ment of the Bill if it is considered necessary. My hon. Friend the Member for Islington based a large part of his objections upon the Bill, on what he said was the growing dissatisfaction of the public with the schemes of the Charity Commissioners, so far as they have hitherto gone. Now, I think that the state of this House does not bear out that contention. Compared with what the feeling was five, 10, or 15 years ago, I cannot but think that there is a growing feeling of content and confidence in the schemes and general administration of the Charity Commissioners which is very different from what it was in former days. There has been a growing satisfaction with the conclusions of the Commissioners; and although there may be individual cases in which the Charity Commissioners have come in conflict with particular bodies of Trustees, and even with the public opinion of a locality, yet, on the whole, the administration of the important work confided to them, and the framing of schemes under the Endowed Schools Act and the Charitable Trusts Act, has given satisfaction and contentment to the public. Allow me to remind the House that in respect of two very large classes of charities the law, within the last two years, has conceded to the Commissioners powers as wide, if not wider, than those proposed by this Bill. The whole of the charities known as endowed schools have been specially treated under the Endowed Schools Act, and the Charity Commissioners have received powers greater than those which are proposed to be conferred upon them by this Bill. There is another group of charities which have been specially dealt with by Parliament. I refer to such charities as that known as the City of London Parochial Charity, which has an income of between £50,000 and £60,000 a year. Under that Act the Commissioners have power to frame schemes for dealing with this charity and even to divert the proceeds from the people of London for whose benefit they were originally intended by the founders, as well as to make enormous changes in the management and distribution of the charities. Under this Act the Charity Commissioners have framed a scheme, which is now before

Parliament, of a very wide and extensive character. If, then, the Charity Commissioners can be entrusted with the administration of schemes of such an important nature I cannot understand why they should not be also empowered to deal with other charities as proposed by this Bill. Having given great attention to the subject and having been a member of the Committee before whom Sir Henry Longley was examined and cross-examined at greater length than probably any other public officer was examined before, and having considered every objection that can be urged against the present measure, I venture to think that it is one that ought to commend itself to the House, and which, if carried into law, will be efficacious in putting an end to the grave abuse and mis-management of these charities which have been witnessed in the past and will result in these charitable endowments being really devoted to the purposes for which they were intended instead of being wasted and misapplied.

(2.30.) SIR J. KENNAWAY (Devon, Honiton): I had the honour of serving six years ago upon the Select Committee to whom this question was referred, and I fully concurred in the Report which that Committee presented. I therefore felt that I could not refuse the request of my hon. Friend the Member for Carnarvonshire that I should come forward on the present occasion in support of his Bill which embodies one of the principal recommendations of the Committee. It seems to me that the case which has been adduced in regard to it is clear, that the existing law calls for further amendment, and that some such provision as is embodied in the Bill should be passed in order to enable so serious a matter to be dealt with. The measure is one of a very simple character extending only to the action already taken by Parliament, and I do not think it is likely to arouse any very serious objection. I was much astonished to hear the description of the Bill which was given by my hon. Friend the Member for South Islington, and the fearful consequences which may result from its adoption. He described it as a retrograde measure of centralisa-

tion. He drew a picture of the Charity Commissioners having power to entirely ignore the wishes of the founders and to make changes in their bequests without regard to the opinions of the Local Authorities or any other person whatever. He spoke of Trustees being appointed by the Charity Commissioners entirely contrary to the wishes of the district; of their being persons simply appointed for the purpose of carrying out a geographical system of centralised Local Government. I confess that if I had anticipated such consequences, I should have been one of the last to support the Bill. It is very clear from the evidence before the Committee of Sir Henry Longley, that in the larger charities, as well as in the smaller ones, the Commissioners must be guided by what is called the *cy près* doctrine. No doubt the Commissioners would be bound under this Bill, as they already are, if they thought a scheme ought to be departed from, to come to Parliament and ask for power to alter it. But it is altogether contrary to the experience of the past to suggest that if the Commissioners are entrusted with large powers they will be induced to ignore the will of the founder and to prescribe objectionable conditions. It is complained that the Bill only deals with a small part of the subject; but it must be borne in mind that larger measures have been introduced, and that it has been found practically impossible to carry them. It has, therefore, been thought better to take one step at a time, and to bring forward a simple Bill to enlarge the powers of the Charity Commissioners. I cannot conceive, should the necessity arise, that there can be any difficulty in introducing clauses into the Bill to carry out the recommendations of the Committee of 1884. The evidence of Sir Henry Longley was to the effect that the Charity Commissioners would always regard the assistance of Local Bodies as of the highest importance to them. But the House will remember that at the time the Committee sat, although the constitution of a good representative Local Authority had been much talked of, it did not seem to be likely to be created. Circumstances are different now; by the action of Her Majesty's Government, a representative Local Government has been constituted,

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and I have no doubt that the Commissioners would now regard with the highest satisfaction the assistance they would derive from the new Local Bodies both in suggesting the details of schemes and also in supplying the names of local men who would be inclined to act as Trustees. Therefore, I believe that the idea of the Local Authorities being over-ridden by any action from Whitehall is purely imaginary. I altogether disagree with the view which has been expressed by my hon. Friend the Member for Norwich (Mr. Hoare), that the administration of the Charity Commissioners is becoming unpopular and requires to be held in check. Having served on the Committee, I think I am entitled to say that the complaints against their administration of the local charities were very few, although they had at that time made between 8,000 and 9,000 orders and carried into law something like 1,000 schemes. Those schemes were not dealt with because they wished to interfere unnecessarily with local matters, but almost all of them were brought before them at the instance of the Trustees themselves. I trust that the Bill will pass without opposition after the assurances which have been given by the right hon. Gentleman opposite (Mr. Shaw Lefevre) and the assurance which I am also ready to give on behalf of the Committee which sat in 1884, that we should be quite ready to see the other recommendations of that Committee embodied in the measure.

\*(2.40.) Mr. LENG (Dundee): I intend to support the Second Reading of the Bill, but I should not have risen to address the House except for one of the cases to which reference has been made. I went down to Hull a fortnight ago to attend a meeting of the old boys of the Hull Grammar School, and I found that there existed a strong feeling in connection with the scheme for the town that the Charity Trustees had not been properly treated by the Charity Commissioners; that, as a matter of fact, they had been used as puppets; that they had been misled, and that, to a certain extent, a breach of faith had been committed in the way in which the Commissioners had dealt with the scheme. The Com-

missioners themselves sanctioned the sale of the old school. They sent down an Assistant Commissioner or Inspector to survey the site of the new school; they approved the plans of the new school; they issued a formal order setting this forth, and they further insisted that the surplus of the money left over from the sale of the old school should be handed over to the Official Trustees. It was only after all this had been done that they intimated they would not allow the building of the new school to be proceeded with unless an endowment were provided for it. I put a question to the hon. Member for Penrith (Mr. J. W. Lowther) upon this subject the other day, and the answer which I received is not regarded by the Charity Trustees or those interested in the Hull Grammar School as satisfactory. The hon. Member alluded to the fact of there being a competition with the existing Grammar School as one reason why the Commissioners should be cautious how they acted; but the fact is, that notwithstanding that competition during the comparatively short time the present head master of the Hull Grammar School has had the management of the school, the number of scholars has increased from 39 to 190, and there is every prospect of a much larger increase if a proper building is provided. The hon. Gentleman further mentioned a bequest by the late Dr. Hymer of the sum of £50,000 for another school, but that could not have had any influence upon the decision of the Commissioners because the knowledge that such a bequest had been made came subsequent to their decision not to allow the scheme to be proceeded with. While I intend to support the Second Reading of the Bill, I must say that I think the Charity Commissioners, in their dealings with Local Bodies, should in all respects act with good faith and not in a manner to cause Local Trustees to lose a proper sense of self-respect and to feel themselves degraded. In the particular instance I have referred to they feel that advantage was taken of them. Their proceedings were approved and sanctioned at every stage until the money was sent to London, and then they were told, "We have approved of your plans, but we have now got the money and

will not allow you to go on."

The public feeling is rather in favour of decentralisation than of centralisation; and if the Local Authorities find they are improperly treated, there will be such a strong feeling aroused against the Charity Commissioners as will demand a sweeping decrease of their power. I would, therefore, recommend the Commissioners to act in future so as to carry with them the confidence of the Local Authorities rather than to induce the Local Authorities to feel that they are snubbed and treated with contempt and disrespect.

\*(250.) MR. TOMLINSON (Preston):

This is a very short Bill, but its adoption would bring about an enormous extension of the powers of the Charity Commissioners. This extension is concerned with two things, which in their nature are separate and distinct, namely, cases in which the Trustees are alone in fault, and those in which the objects of the Trust are obsolete. Several instances have been mentioned in justification of the Bill, in which it is alleged that Charitable Trusts have been abused. In many of those cases the chief defects arose from the want of an efficient body of Trustees. And if a satisfactory set of Trustees could have been formed there would have been little difficulty in settling the application of the Charity. In such cases what seems to be wanted is a more limited power of dealing with the constitution of the Trusts, so as to leave the actual administration in the hands of a properly constituted body of Trustees. Reference has been made to the case of Stamford, where there has been a gross misapplication of the funds of a charity; but it appears to me that the existing law ought to be strong enough to deal with so strong a case as is described, and, if not, there is nothing to show that the charity funds could not, in the hands of a re-constituted body of Trustees, be applied to the purposes for which they were intended. It appears to me that the present Bill will frequently go beyond the necessities of the case, and I do not think it ought to be accepted without some further guarantees than the measure now contains, that the limitations proposed by the Committee of 1884 to be

applied to an extension of the powers of the Charity Commissioners will be adopted. That Committee had regard to the danger of an alteration in the destination of the Trust Fund. Hitherto, cases have constantly occurred where the original destination of the Trust Fund has been entirely altered and something very like confiscation has resulted, especially in the case of Trusts which are known as doles. Funds bequeathed for doles have often been appropriated to a class of persons who were certainly not intended to receive them by the founder.

(3.0.) MAJOR RASCH (Essex, S.E.): As representing an agricultural Division in which the average rate of wages among the people is 12s. a week, and 6d. a considerable question, I, on behalf of my constituents, oppose the Second Reading of the Bill. Many are the communications I have received from labouring men expressing the strongest antagonism to the action of the Charity Commission, to whom they attribute the waste or diversion of endowments intended for the benefit of the labouring classes, but devoted to objects with which that class have no concern, or to which their interests are diametrically opposed. There are certain villages in Essex where the popular feeling is so strong that if a Charity Commissioner appeared there I should not like to have to answer for his safety. Last Session I put a notice of Motion on the Paper in reference to a reduction of the Vote for the salaries of the Commissioners in regard to a most flagrant case of maladministration in Essex, where the charity was so disposed of by the Commissioners that the labourers for whom it was designed got absolutely nothing out of it; a certain amount was set apart for building, a certain amount for books, a certain amount for the schoolmistress, and between these various stools the labourers came to the ground. There was also another case in a village a few miles from where I live, where the labourers were left out of the benefit of the fund of which they should, under the Trust, have been the beneficiaries. I would suggest to the House if the Charity Commissioners so act in the green leaf, how will they act in the dry? If they

*Mr. Tomlinson*

can do these things with their comparatively limited powers, what are they likely to do with much larger powers at their disposal? I hope the House will not put this extra straw on the back of the overlaid agricultural labourer. So far am I from wishing to give these Commissioners an enlarged field of action that I should like to see the disendowment of the office at Whitehall.

(3.5.) MR. COLMAN (Norwich): I shall support the Amendment before the House. There are proposals in the Bill with which most of us would agree thoroughly. I hold the view that there are many charities that need a considerable amount of overhauling, and that the funds might be turned to much better uses than those to which they are now devoted. But the question is, are we prepared to give these increased powers to the Charity Commission? and to this I, as one who has had experience of the Commissioners, say I am not prepared to give these powers unless coupled with safeguards such as I do not find in the clauses of this Bill. My hon. Colleague in the representation of Norwich has referred to some discussion—or dispute, perhaps, it should rather be called—which my constituents have had with the Commissioners, and he said the Commissioners had no doubt performed their duty with ability and with honesty. I will not dispute that statement, but I wish the Commissioners would give some indication of an appreciation of the probability that Trustees and Public Bodies may also have some amount—I will not say of ability—but, at any rate, of common sense and honesty in the administration of funds placed at their disposal. It has been said by the right hon. Gentleman the Member for Bradford (Mr. Shaw Lefevre) that a good deal of mischief is done by the distribution of doles to the poor, and I frankly admit that to be so; but I am bound to say that the rule the Charity Commissioners now proceed to lay down, and which they say they are compelled to lay down, although that may be a matter of dispute, as to the receipt of Poor Law relief disqualifying the recipient from the receipt of charity, is as injurious as the distribution of money. I am

brought to the conclusion that matters of this kind should be left to the discretion of the Trustees. But our complaint is that the Commissioners will permit no local discretion; they lay down a hard and fast line. I maintain that we who are on the spot, and well acquainted, can form and exercise a better judgment on matters of detail relating to a Trust than can these Commissioners sitting in London. I feel that there is a good deal that is desirable in the Bill, and I wish that the promoters had laid down directions to the Commissioners to leave more to the discretion of Trustees. In my experience the men who occupy the position of Trustees are most capable men, who discharge the duties entrusted to them with impartiality and ability. They might well be allowed more discretion than the Commissioners are disposed to grant, and I feel that I should not be justified in supporting a proposal to confer these increased powers on the Commissioners.

(3.12.) MR. J. W. LOWTHER (Cumberland, Penrith): The discussion has travelled over a great deal of ground; and as the Charity Commissioners, whom I have the honour to represent in this House, have been severely attacked upon numerous points, I am afraid I shall have to occupy the time of the House for some little space in replying in detail to the various attacks made on the administration of the Commission. First, perhaps, I had better take the speech of my hon. Friend the Member for South Islington (Sir A. Rollit). His chief ground of complaint against the Commissioners, and upon which he based his argument against the extension of their powers, was that they did not put in force the powers which they have; his complaint is that they have omitted to do the things they ought to have done, not that they have done the things they ought not to have done. I confess that does not seem to me a very valid argument against extending the powers of the Commission. The hon. Member also made one or two slight slips in which, perhaps, he will allow me to correct him. First, he said the Commission had an ambition towards centralisation, and that from time to time we

brought in Bills to extend our own powers. Now that is absolutely inaccurate. The Commissioners have never brought in a Bill of their own. Governments of the day have, from time to time, brought in Bills—Members of the Party opposite have done so—to extend the scope of the Commission, but the Commissioners themselves have never taken the initiative in such matters. The hon. Member said that the original jurisdiction was limited to charities of £30, and then it was raised to £50, and that now it was sought to withdraw the limitation altogether. In that he was also inaccurate. The limitation of £30 was a limitation placed upon the County Court, and if my hon. Friend will refer to the 32nd section of the Charitable Trusts Act of 1853, he will find that the limitation is upon the action of the County Court, not on the jurisdiction of the Charity Commissioners at all. In the Act of 1860 the jurisdiction of the Commission was limited to charities of incomes of £50. Remarks have been made as to how that limitation got into the Act, and I think, as being pertinent to that, I might quote the evidence of Mr. Lowe (Lord Sherbrooke), who introduced that Act, and who gave evidence before the Schools Inquiry Commission. He said—

“There are several matters which ought to be extended, because they were concessions made greatly against my Bill of 1860. In the first place Section 4 provides that the Charity Commission shall have no jurisdiction over any charity whatever, except by consent, which has above £50 a year. I would repeal that clause. The jurisdiction of the Charity Commission, after all, is not a contentious jurisdiction; it is not in the nature of a trial or a law-suit, but an administrative and ancillary jurisdiction, and is worked mainly on that footing.”

That is the only light I can throw on the limitation of £50. Hon. Members have criticised the Commission in various ways, and it is right to point out to the right hon. Gentleman the Member for Bradford that, as no doubt he is well aware, criticisms were brought to a head upon the introduction of the Bill of 1883. The Bill of 1883 proposed to extend the powers of the Charity Commission, and was referred to a Select Committee of which the right hon. Gentleman was Chairman. That Committee inquired at

great length, at enormous length, into the whole administration of the Commission, and the complaints which were made against the action of the Commission were brought before that Committee and thoroughly sifted. The taking of evidence lasted through one if not more than one Session, and in the final Report, agreed upon, I think, almost unanimously, the action of the Commission was completely vindicated. I think I need only read one paragraph from the Report to prove that—

“Your Committee, after reviewing the conduct and policy of the Charity Commission in the administration of the powers already conferred upon them by ‘The Charitable Trusts Act,’ and having investigated matters in complaint, are of opinion that the Commissioners have exercised their powers with discretion and sound policy and in a way to cause no greater friction than might have been expected from an administrative body exercising very ample powers of a judicial character, in which they were brought into conflict with a great variety of local bodies with divergent interests and views.”

Then, in the last paragraph, they say—

“We think it right to say that the evidence laid before us, so far as it goes, shows that the charges made against the Commissioners of hostility to labourers and of a disposition to support Trustees in not letting land, or in demanding unreasonable terms, appear to have been made under a misapprehension of the intention and actions of the Commissioners.”

Well, up to that time the charges were fully inquired into; and, in relation to those charges, the conduct of the Commissioners was, I submit, amply, fully vindicated. And now the question comes, has anything occurred since 1884 on which to base fresh charges against the Commissioners? I think my hon. Friend the Member for South Islington pointed to the fact that there have been constant Debates in the House, growing more and more constant in relation to schemes framed by the Endowed Schools' Branch of the Commission. Granting this has been the case, what has been the verdict of the House on these various occasions? I believe since 1884 there has been only one case in which the action of the Charity Commissioners has not been supported by Parliament—there may be two cases—I have only in mind the case of West Lavington. With one exception, or at most two, the action and the schemes of the Commission have been supported by Parliament, and in the great

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majority of cases where discussions have occurred here, or in another place, these educational schemes have received the emphatic sanction of Parliament. Therefore, so far as this objection of the hon. Member goes, I think we can plead the approval of Parliament of the policy we have been carrying out in this respect. I might also remind the House that it is only exceptional cases that come before the House at all, and that a great many of the schemes framed under the Endowed Schools Act, when they go to the Education Department, receive the assent of that Department, and do not come upon the Table of this House at all; they are approved in the neighbourhood and approved by the Education Department, and go through, as a matter of course. It is only in a very few exceptional cases that the schemes of the Charity Commission come under the ken of this House at all, and so far the work of the Commission is successfully done. Then, my hon. Friend the Member for South Islington has condemned the idea of the absolute control of all charities coming into the hands of the Charity Commission. Why, when Trustees agree, or where a majority of Trustees agree now to make application to the Charity Commission, the “absolute control,” to quote my hon. Friend's words of all charities is in the hands of the Commissioners at the present moment. Let me further point out this, that when the majority of Trustees do not agree to appeal to the Charity Commission, the Court of Chancery has absolute control. But the reason why hon. Members have introduced this Bill is, that it has been shown that enormous costs are, from time to time, incurred in framing schemes by the Court of Chancery for carrying out the ordinary administrative law of Chancery, which could be carried through at very slight expense, almost nominal expense if the Trustees would come to the Charity Commission. Then I think those who have opposed this Bill have fallen into the error of supposing that the Commissioners would have unrestricted power to deal with all charities in any way they please. No such thing could possibly occur. The Charity Commission is practically a branch of the Court of Chancery. It is bound by the

decision of the Court just as much as a County Court, or Court of first instance, is bound by the decision of the Court of Appeal or of the House of Lords. We are bound to follow the decision of the Court, we are bound to follow the ordinary law, and we are bound also to follow the *cy près* doctrine, which my hon. Friend knows well we cannot go beyond, even if we wished to do so. Therefore, to assume that it would be possible under the enlarged powers of the Bill to go beyond the *cy près* doctrine, is to assume an utter impossibility; we should be bound still to follow that doctrine, and could not divert charities from one to a totally different and inconsistent purpose. Then, again—the point has been made clear, but I am not quite sure whether my hon. Friend is convinced—he took exception to the Bill because it contains no provision permitting an appeal from the Charity Commission to the Court of Chancery. I think such a provision is unnecessary, for this appeal exists now from every act of the Commissioners. If the Commissioners make some act, or do something contrary to the law, or which is beyond their statutory powers, a full appeal exists at the present time to the Court of Chancery. I say—it is matter rather of construction by lawyers than for discussion in this House—that this appeal will equally exist under any other Act, unless by that Act it is specially excluded, and, as in this Bill it is not specially excluded, I submit the power of appeal still remains, whether the powers of the Commission are enlarged or not. Then my hon. Friend, as did also the hon. Member for Dundee (Mr. Leng), turned to a special case, that of the Grammar School at Hull. That case, curiously enough, is not dealt with at all under the “Charitable Trusts Act,” but under the Endowed Schools Branch of the Charity Commission, and is, therefore, hardly a case in point, hardly germane to the argument just now, which is as to extending the Charitable Trusts powers of the Commission. The facts in regard to the Grammar School at Hull, so far as I can gather them, are these—the Charity Commissioners were led to believe that a large endowment in Hull might be made available for educational purposes, and, upon that under-

standing, the Commissioners agreed with the Trustees to go forward with the proposed alteration of the Grammar School, and, with this understanding, agreed to the purchase of a site, and approved the plans submitted to them. It then turned out that the Charity Commissioners had been—I will not say misled—had been induced to take a wrong estimate of the amount of opposition which was likely to be raised in the town of Hull, and they found that the opposition was very great to their taking this particular endowment, and using it in this particular way. Thereupon the Commissioners said they were unable to allow the Trustees to go forward with their scheme, because they did not believe a school, the endowment of which was going to be entirely sunk in bricks and mortar, could be started with the probability of success. My hon. Friend has pointed to the very wise action of the Local Trustees, but it turned out, on investigation of accounts, that the Trustees of this Charity had spent no less than £600 out of capital in keeping the school going, and I say if my hon. Friend had wanted to bring a case to convince the House of the desirability of a Central Department of some sort, having an eye to the management of the corpus, he could not have found a better one.

\*SIR ALBERT ROLLIT: I am sorry to interrupt my hon. Friend, but I think he should have added that this sum was spent to provide temporary premises, without which the school could not possibly be conducted.

MR. LENG: It was in 1875 that the suggestion was made that £10,000 should be taken from Alderman Jennings' endowment, but the order of the Commissioners is dated August 10th, 1883.

MR. J. W. LOWTHER: That may be good ground for the complaint of delay; but I do not think it answers what I have said, that the Charity Commission were led to believe that the endowment might be employed for advancing the interest of the Grammar School, that it was not until the order was made that opposition sprang up, and they were obliged to drop the matter. My hon.



Friend treats the matter as if the Charity Commission were animated with a desire to deprive the inhabitants of Hull of the benefit of the Grammar School; but nothing can be farther from the actual facts of the case. If the Commissioners can see their way to start the school with any chance of success with an endowment, I am sure they will be only too glad to advance the matter as rapidly as possible; but when they come to consider that there already exist very considerable educational appointments in Hull, and that, as the hon. Member said, quite recently no less than £50,000 under a bequest became available for educational advancement similar to that provided by the Grammar School, then I say it would be a very unwise proceeding to allow this Grammar School to be re-organised on a large scale, and tying up the whole of the endowment in site and building. I am sorry to have detained the House so long over a minor matter; but as two hon. Members had dwelt upon it, I was obliged to go into this. The chief burden of my hon. Friend's remarks were strongly against centralisation. His arguments might, 40 years ago, have been used with force against the Charitable Trusts Bill of 1853; but the House has accepted the central control, and it has been found to work beneficially, saving thousands and thousands of pounds which otherwise would have been wasted and lost. Then my hon. Friend complained of the administrative control exercised by the Commission; but let me point out that Trustees go on administering the schemes; it is only the corpus of the property which we are specially concerned to preserve. My hon. Friend the Member for Norwich has objected to the Bill on various grounds, the chief of which was that the action of the Charity Commissioners was not sufficiently made known to the poor in the several districts affected. I quite agree that that is a matter of great importance; but I will put it to him, in what way can we bring home to the poor the knowledge that these matters are going forward? To advertise in every newspaper circulating in the town or county affected would cost an enormous lot of money, and would in many instances swallow up a great part of the funds of the charity. I have already

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stated that if a County Council will pass a resolution once for all that they wish to have copies of all schemes applicable to their district the Commissioners will be prepared to accede to that resolution. At the present time the Commissioners forward to every Municipal Council a copy of every scheme which in any way affects the town represented by that body; and this circumstance, in addition to what I have said about the County Councils, goes far to meet the objection of the hon. Member. I hold, too, it would be very much to the advantage of the Charity Commissioners to have a Local Body to deal with. At present it is rather difficult to gauge public feeling. We have, I may say, adopted some of the recommendations made by the Committee of 1884, one of which was that where the Commission were dealing with a charity within the limits of a Municipal Corporation notice should be given to that Corporation of any scheme affecting the charity, and that, if thought desirable, a public inquiry should be held before any scheme is finally settled. That course has been pursued since 1884. In regard to another point raised by the hon. Gentleman, I may observe that it has been laid down by the Courts of Law that, as a rule, persons in receipt of parochial relief are not entitled to the benefit of a charity intended for the poor. This rule is well-established, although it has sometimes been followed with reluctance. A great many people follow the law with reluctance; but nothing can be clearer than that that is the law, and the Commissioners would transgress their powers if they went outside that well-established rule of law. It may be that they are among the people who have followed this particular law with reluctance; but certainly we could not undertake to over-rule such high authorities as Lord Eldon and the late Master of the Rolls. My hon. Friend looks forward to the day when Local Bodies are going to have a good deal more to do with the charities than they possess at present, and when they will perhaps take over the powers of the Charity Commissioners. Then, why not make those powers complete now? My hon. Friend the Member for Preston raised some points with regard to this Bill which deserve notice. He says that many of these

matters could be easily dealt with if the Body of Trustees were re-constituted. That is the great difficulty the Commissioners have, for unless the majority of the Trustees make application we cannot re-constitute them. In fact, that is one of the points with regard to which the greatest reluctance is shown, because the Trustees are not prepared to have the representative element introduced into their body. This House has, from time to time, laid it down that it is desirable to introduce the representative element on the Governing Body of Trustees; but many of the Trustees greatly object to it, and will not make the application which is necessary before we can re-constitute them. Then the hon. Member asked me about the 3rd clause of the Bill, and said power would be given to the Commissioners to over-rule Acts of Parliament. The object of the clause is simply to save Trustees the enormous expense and the great delay in getting a private Bill passed. It is now necessary to get a private Act of Parliament passed even for trivial matters of administration; and the Bill simply asks that we shall have the same power to deal with charities constituted under an Act of Parliament as we have for dealing with charities constituted by schemes of the Court of Chancery or of the Charity Commissioners themselves. The hon. Member for South Essex is very anxious to disestablish and disendow the Commissioners, because he says they propounded a scheme for the administration of a charity in Essex by which the funds were grossly mismanaged. The truth is that that particular scheme was not framed by the Charity Commissioners at all, but by the Court of Chancery. Reference has been made to scandals in charity administration which are calling loudly to be set right, and comments have been made as if every charity over £50 is badly administered, and every charity under that limit is well administered. A great many of the large charities are admirably administered, but there are some charities with large incomes that are very badly administered; and it is in order to bring these within the jurisdiction of the Charity Commissioners that the hon. Member for Carnarvonshire has promoted the present Bill. There are three

points in regard to which the powers of the Commissioners will be enlarged. In the first place, there is the appointment of Trustees. At present, when these appointments are made by the Charity Commissioners, the cost is about 10s. for the stamp and a few shillings for advertising; but if application is made to the Court of Chancery to make the appointment the cost is very heavy indeed. I can give illustrations to prove that. In the case of one charity, with an income of £85 a year, it cost exactly £32 to get new Trustees appointed; and the cost in the case of another charity, with an income of £420, was £75. Then, as to the endowment of St. Luke's, Middlesex, the amount of which is £530. In order to get an apportionment between the eleemosynary and educational parts of the charity, and to get new Trustees appointed, application was made to the Court at an expense of £475; yet this would have been done by the Charity Commissioners for a nominal sum. The appointment of Trustees is made by the Charity Commissioners after public notice and after receiving objections; but the Court makes the appointments without public notice and without receiving objections. Another most important point is that of vesting the funds in an Official Trustee. The hon. Member for Dundee seems to have a curious view of the duties of the Official Trustee, and he referred to the Charity Commissioners as chuckling and rubbing their hands over the fact of getting the money into their possession. But vesting the money with an Official Trustee means simply that the money is invested in his name, and he has nothing to do with its administration. The administration of the fund remains in the hands of the Trustees of the charity. Cases are numerous in which charities have been completely lost in consequence of not being invested in the name of some permanent Official Trustee. The Bank of England, for instance, knows nothing of the existence of the Trust; it only knows of the existence of the fund and the name of the man to whom the money is to be paid. The man dies; what is everybody's business is nobody's business; no one looks after the matter, and the consequence is that time after time charities lapse and every trace of

them is lost. When the funds are invested in the name of an Official Trustee such things cannot happen. The greater part of the administration of the Charity Commissioners relates to the framing of schemes, and the cost when the scheme is made by them is very different from what it is when application is made to the Court of Chancery. Sylvester's Charity has an income of £800 a year. The Charity Commissioners asked the Trustees to make application to them for a scheme, but the Trustees refused. The Charity Commissioners certified the case to the Attorney General, who took it into the Court of Chancery. A scheme was made by the Court exactly in accordance with the views of the Charity Commissioners; it cost the charity £883, but might have been had for a mere trifle from the Charity Commissioners. It cannot be denied that the action of the Charity Commissioners has, on the whole, been beneficial and has saved large sums of money. If beneficial in the case of small charities, why deny to large charities the benefits of that action? Bills of this kind have been before the House from time to time, and in no case, as far as my memory serves me, have they been rejected, although they have been dropped from want of time. This House has not denied the principle that the aid of the Charity Commissioners should be given to large charities as well as small.

(3.55.) MR. JESSE COLLINGS (Birmingham, Bordesley): As far as I am concerned, there is no attack intended to be made upon the Charity Commissioners by the proposal to reject this Bill. The question is, whether a system which deprives the poor and defenceless of the privileges and benefits which they have for ages enjoyed shall be not only maintained, but enlarged? Members of this House have to defend a class of people who are not only unable to defend themselves, but who have been deprived of benefits without knowing it until the mischief is done. I appeal to those who know the condition of the poor whether the time has not come for this House to provide greater securities, and to see that where the form of the benefits is changed the

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benefits themselves shall be secured to those for whom the givers of the benefits intended them. Those who know the results of the administration of the Charity Commissioners must be aware that the poorest and most helpless, and those least able to speak for themselves, have been the sufferers. It is not by piecemeal legislation that we ought to deal with such enormous sums of money. The Government, if they will undertake to provide a complete measure, will be doing good service. If it is in the power of Trustees to come to the Charity Commissioners as advisers and helpers there will be hundreds of applications; but the Charity Commissioners insist that the Trustees shall abolish themselves and hand over to them the whole of the Trust property to do what they please with it. The policy of the Charity Commissioners has been a complete barrier in hundreds of cases where the Trustees would gladly reform themselves; but they are not willing to hand over the funds of the charity to the Commissioners, who might deal with it in a manner which the locality did not desire or approve. Then it is said that they could not go beyond the *cy près* doctrine, but it is their view of what is within their powers which is hard on the poorer classes. It is true that there is an appeal to the Court of Chancery, but that is of no use to the poor man. We have been told that the Trustees appointed by the Charity Commissioners have full power of administration, on which point the hon. Member gave the House to understand that everything was put into the hands of the local Trustees to be carried out for the good of the neighbourhood; but what is the fact? As one who has been connected with the administration of one of the largest Foundations under the Charity Commissioners in my own neighbourhood, I can say it is true that we had the power to sweep the doorsteps or to decide upon some small matter connected with furniture, and scarcely that; but beyond this there was absolutely no power for us to do anything at all without the consent of two or three gentlemen sitting at Whitehall. It is humiliating to think that the local representatives of a city containing some 500,000 inhabitants should have to place themselves in communication with

the Charity Commissioners about the smallest things they consider necessary in the management of the institution with which they were connected. The expense we have been put to, and the absurd positions in which we have been placed, would appear absolutely ridiculous to the House if I were to go into anything like detail. The right hon. Gentleman the Member for Bradford has brought forward a case or two in favour of the Charity Commissioners. Well, I may state that I was myself examined for three days before the Commissioners, and I believe that on that occasion the right hon. Gentleman the Member for Newcastle was in the chair.

MR. J. MORLEY (Newcastle-upon-Tyne): No.

MR. J. COLLINGS: At any rate I am correct in saying that the right hon. Gentleman examined me.

MR. J. MORLEY: That is so.

MR. J. COLLINGS: On that occasion I gave evidence of cases of hardship, and I may add that I was under examination for some three or four days, during which time there was practically nothing in the testimony given beyond proof of such cases. I may add that that evidence has never been disputed. My right hon. Friend the Member for Bradford has taken credit for the Report in which that Committee absolved the Charity Commissioners from any charges as to the administration of the Allotments Act. If the right hon. Gentleman will look at the paragraph preceding the one to which he refers he will see that the Committee were at that time just at the end of their labours. Believing that they had not sufficient time to examine the allotments question thoroughly, they deferred reporting upon that until the next Session, and the Committee generally were of opinion that that point was so far settled; but there was another meeting at which only five members of the Committee were present, and on that occasion a paragraph was agreed to; and against that paragraph the right hon. Gentleman the Member for Newcastle then entered his protest. It was, in point of fact, a Report in itself, and that Report whitewashes the Charity Commissioners as to their action on the

subject referred to. It is for that paragraph that the right hon. Gentleman the Member for Bradford takes credit; and I do not think that what was then done was a very creditable proceeding considering that the Committee generally had been led to believe that the matter was not to be reported on until the next Session. The right hon. Gentleman the Member for Newcastle-upon-Tyne voted against that paragraph, as hon. Members will see if they refer to the Report. My right hon. Friend the Member for Bradford has stated that no cases of abuse were reported; but I think I shall be able to show, on the contrary, that there were many such cases. He also stated that doles of money given to the poor had a very damaging and pauperising effect. On that point I do not say that reforms are not wanting in the administration of those charities, and I only wish the Government would undertake to deal with the entire question in order to secure the necessary reforms. I would only ask one condition, which would be backed by every constituency in the Kingdom. It is that no system should be introduced that would interfere with, except in the sense of securing, the rights of the poorer class. This is practically the issue upon which we are now going to vote. My right hon. Friend the Member for Bradford has said that the Committee of 1884 were unanimously of opinion that the evils reported on should be redressed in the manner proposed by this Bill. I do not think that that is quite a fair statement of the fact, because the Committee in question has reported that those evils should be redressed by half a dozen provisions of a very important character. This Bill proposes to deal with one of those provisions which is in itself a most mischievous one, but which might be tolerated if surrounded by the safeguards suggested in the Committee's recommendations. We, however, are now asked to adopt the mischievous provision, and to leave out all the safeguards, without which, I venture to affirm, the Committee would not have made a unanimous proposal. My right hon. Friend the Member for Bradford says the Bill does not give greater powers to the Charity Commissioners than they now possess. That is quite true. But you

wish to extend the powers the Commissioners exercise in regard to all the charities, in the face of the experience we have already had of the way in which they deal with charities of £50 and less. That is a very important proposition. The fact is that in the body called the Charity Commissioners—very estimable men in the discharge of their duties, but whose bad traditions have not been quite got rid of yet—there is one member who is all for endowed schools. I believe that under any circumstances, private or public, in which wealth might come to him, his first instinct would be to found an endowed school. For my own part, I am not against middle-class endowed schools; but I am decidedly against carving these schools out of the heritage of the poor.

MR. RATHBONE: This Bill does not deal with endowed schools at all.

MR. J. COLLINGS: Yes; but the things are so mixed that it is hardly possible to separate the two; for when we come to the 37th clause of the Endowed Schools Bill, which is a Charitable Trust Clause, it is impossible to avoid doing what almost every speaker has done, namely, mix up the two things and connect them with the Charity Commission. The hon. Member wanted to know what examples could be adduced of the way in which the poor were hardly dealt with. For my own part, I could keep this House, as I kept the Committee upstairs, for three days while detailing such cases; but I will spare the House that infliction, and will only touch a case or two. Take the case of a parish in Warwickshire, where, by an order of the Court of Chancery, the parish had possessed for 25 years a fund devoted to medical attendance for poor women in confinement, and for the supply of baby-linen; and here I would say, let no one minimise the importance of the supply of nurses and the necessary comforts to these poor people at such times. Then there were provisions for the supply of clothing, and free education, and for almshouses, and other things, all tending to show how the necessities of the poor were regarded. Well, what did the Commissioners do in that case? In the year 1879 they took

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£15,000 from those poor people and spent it in the extension of an old grammar school. That, no doubt, was a very good thing in itself; but it certainly was not needed to the extent of the sum provided. However, I have not a word to say against it, except that the poor had this amount taken away from their charities, and applied to the purposes of middle class education. But as if this were not enough, there is a second scheme now hanging fire, for which I hope the Charity Commissioners will blush, and which I trust the House will never allow to pass, and that is, a scheme under which they propose to take another £17,000 for the purposes of a high school; so that should this proposal be carried the poor will be deprived of no less a sum than £32,000 in promotion of a scheme for the benefit of the children of the well-to-do class. Doubtless, high schools, both for boys and girls, are good things in themselves; but to carve them out of charities intended for the poor is a thing which I think we ought not to do, or even to admit the possibility of. It is said that they give a *quid pro quo* in the shape of scholarships, and such like advantages, to the poorer classes. I reply that that is no benefit at all; and on this point I would quote the remarks of a gentleman whose name is well known to most of us, the Rev. Canon Evans, for many years Head Master of the High School of Birmingham, and a great authority on this subject. This witness, when asked before the Committee whether these scholarships were of the use they were supposed to be to the poor children, said—

“ I have observed they are generally carried off by the children of rather well-to-do parents, that the charity funds are taken away from the poor, and that the educational advantages given in return are illusory. The poor feel that a very great wrong has been done to them.”

The witness proceeded to give instances in illustration of his statement. I might quote many cases showing that what Mr. Evans here states is perfectly true. I am sorry to have detained the House so long, but the question is to me one of the deepest interest. The powers the Charity Commissioners already possess are, I think, sufficient to carry us on until the Government can frame some

comprehensive scheme for dealing with whatever difficulties exist. Every scheme ought to be laid on the Table of this House or before a Standing Committee of the House, similar to that which deals with the Inclosure Bills, and that Committee should examine the various schemes in order to see that the interests of all parties are fairly dealt with. Prior to the Act of Mr. Lowe, now Lord Sherbrooke, I think these schemes were laid upon the Table, and it was he who introduced the £50 limit, it being felt that some limit was required in order to save the rights of the poor. The House must not think that this is a small matter; because according to the Report of 1876 there were about 36,000 charities dealing with a sum amounting to upwards of £2,250,000 sterling. Of this sum there was just upon £200,000 for the medical charities, to which I attach great importance, and £646,000 for the free education of the poor. If you talk of free education to the Charity Commissioners it is like showing the proverbial red rag to the bull, because they have the idea that the Legislature, ever since 1870, has imposed the condition that they must not assist free education. They are dealing with enormous sums of money, and there is upwards of £1,000,000 sterling, which belongs to the poor in the shape of doles of money, alms-houses, articles of food and clothing, and so on, some of which ought to be kept sacred to the uses of the poor. What I wish now to suggest, is that we would rather have this Bill withdrawn, and that Her Majesty's Government should undertake to introduce a Bill of their own dealing with the entire question. If the Bill be not withdrawn under these circumstances, I trust the House will refuse its assent to the Second Reading. My right hon. Friend the Member for Bradford brought in a Bill far more important than this, although it contained a clause similar to the main provision of the present Bill; but the House felt that there was great danger of injustice in passing this measure, and for that reason it was sent to a Select Committee, which was the means of proving the existence of the dreaded evil. I am happy to inform the House that this is the last point I shall refer to.

What I want the Government to do in the interests of the poorer classes—for I respectfully suggest that that is the point at issue—is to determine that if we are to adopt one of the recommendations of the Committee we should adopt them all. We want the appointment of a Standing Committee of the House of Commons, as recommended by the Select Committee, to consider the different schemes; and here I am speaking of all schemes, and not merely those which are opposed, because I have known many schemes that have gone through Parliament without the poor people who have been affected by them knowing anything at all about their acceptance. We also want a provision under which the County Councils shall not only be made acquainted with the schemes which are proposed, but shall have the introduction of the schemes themselves; because we say that they are the authorities who can best understand the wants of the different localities. In regard to this point, the Select Committee is only following the strong recommendations of the Schools Inquiry Commission, which went most thoroughly into the matter, and which so valued the suggestion that the Local Authority should initiate schemes that they positively proposed to found Provincial Councils for the purpose. They say that some Provincial Authority should have power to acquire houses to be approved by the Sanitary Authority, to propose schemes for the creation of Trusts in regard to endowed schools, to sanction the expenditure of money on schools, to have charge of the sites and removals of schools, to sanction, vary, or consolidate the conditions, to hear appeals, to bring before the Charity Commissioners endowments for purposes other than education, and, if necessary, to propose schemes for their variation. Such were the recommendations in the Report of the Schools Inquiry Commission which was endorsed by the Select Committee on Charity Trusts. Therefore, I say, these are matters that should be dealt with in a general Bill. We have all the necessary machinery ready to our hands, and I think the action of the County Councils sufficiently shows a state of public spirit in regard to public matters that could not be found in any other

country in the world. What, then, could we do better than entrust those bodies with the administration of all these schemes? With great deference to the Charity Commissioners, I contend that they cannot be expected to manage these matters so well as those who reside in, and are well acquainted with, the different localities. Let us take a case in which there is a proposal to divert the money belonging to a particular Trust from one use to another. The Charity Commissioners, in all probability, have never, during the whole course of their lives, set foot in the parish whose interests are affected; and it stands to reason that the representatives of the district are those who should initiate the scheme, and who, in so doing, would best study the wants of the poorer classes. When hon. Members say that doles to the poor are not proper things I should like them to go into our villages and see the God-forsaken look about some of them, and then tell us that a charity of even £50 a year is not likely to add to their comforts much more than if it were taken away and given to what is called a middle-class school. The right hon. Gentleman the Member for Bradford has said that these advantages have the effect of pauperising the poor. It is often said that if you give a poor man anything you pauperise him; but, on the other hand, if, in a wealthy town like Birmingham, a rich manufacturer gets £50 worth of education for his son out of a charity which does not always belong to him in exchange for a payment of £8 a year, that is not pauperising. It is only where the poor are benefited by a charity that pauperisation comes in! I am glad to find that of late there has been a reform in regard to the preparation of schemes by the Charity Commissioners, and that it is now becoming the practice to send those schemes down to the Local Authorities, in order that they may be enabled to express their views with regard to them. I myself recollect a case in which a notice was sent to a Town Council some time ago, and that notice was posted up on the Town Hall, and an advertisement inserted in the newspapers. We saw that it was proposed to put the management of a Trust in the hands of the Birmingham Town Council;

*Mr. J. Collings*

but as it only went to the extent of electing managers rated at £60 a year, and as we had very high class working men in the Council, I myself moved that it be kicked out of the Council Chamber, and that was done. Who manages the Trust now I do not know, and, for my part, I feel no concern in the matter. I have now put before the House the arguments that occur to me why this Bill should be withdrawn; and I would appeal to my hon. Friend behind me to adopt that course, on the understanding that Her Majesty's Government will bring in a Bill dealing not only with his proposal, but also with all the safeguards for the interests of the poor which were recommended by the Select Committee and had the sanction of the largest Inquiry Commission that ever investigated the subject. This, I venture to say, would be a complete answer to those who are, or who fancy themselves to be, injured by the action of the Charity Commissioners; while it would have the effect of relieving the Commissioners themselves from work which they are not best fitted to do, and of giving them more time and opportunity for discharging the important functions they can perform better, perhaps, than any other body.

*\*(4.30.) THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG, Wilts, Devizes):* My hon. Friend who has just sat down has spoken upon the subject with all the intensity and warmth that the views to which he has frequently given expression entitle him to make use of in a Debate of this kind. We know he holds very strongly the views he has put before us to-day; and all I would ask him to believe is that those of us who are unable to endorse the statements he makes as to the Charity Commissioners, still desire equally with him that there should be a proper application of moneys left for the benefit of the poor. I do not think my hon. Friend has been quite justified in the description he has given of the issue before the House. He said the issue was that of justice on the one hand, and hardship of administration on the other. I would venture very respectfully to point out that the issue is

rather between enabling the Charity Commissioners to deal with the charities, the funds of which are now being wasted on the one hand, and, on the other, delaying our decisions, with the result of allowing the present state of things to continue. My hon. Friend alluded to the finding of the Committee on Charitable Trusts respecting the question of allotments, and took exception to the fact that the paragraph at the conclusion of our Report was inserted at the last meeting when only five members were present. That is the case. But I should like to tell the House who the Members present were. If they had been exclusively gentlemen sitting on this side of the House, or gentlemen whose views were supposed to be opposed to the principle of allotments, I think that what my hon. Friend says would have had greater weight. The Members were:—The hon. Member for Aberdeen (Mr Bryce), Sir T. D. Acland, who is well-known in this House as a friend of the great labouring cause and of the interests of the labourers; Mr. Davy, and my friend, Mr. Pell, who was formerly in this House, and who will not be accused of being an ultra Tory, or being opposed to the interests of the labourers. The opposition to the Resolution of the Committee was not formidable in numbers; but was, undoubtedly, formidable in quality and degree, because it consisted of the right hon. Gentleman the Member for Newcastle (Mr. J. Morley). However, I think the names of the four gentlemen who voted for the paragraph are such as to justify the House in believing that it fairly represented the views of those who belong to the more advanced section of opinion on this subject. I would respectfully submit to my hon. Friend the Member for Norwich (Mr. S. Hoare), and the hon. Member for Bordesley (Mr. Collings), that the arguments they have advanced might be more suitably used in Committee than on the Second Reading of the Bill. I would remind the House that the Charity Commissioners were put on their trial before the Committee, who went exhaustively into the whole question, and the Commissioners came out absolutely with flying colours. The Committee reported that while undoubtedly there had been cases

in which the Commissioners had erred, yet, in the main, their action had been wise and discreet, and that there had not been any greater friction than might necessarily have been expected considering the large, important, and difficult questions they had to deal with. I do not think the hon. Member for Bordesley (Mr. Collings) can produce evidence of the hardship to which he has referred. He had abundant opportunities before the Committee, whose conclusions certainly do not justify any hostile condemnation of the Charity Commissioners, either on the ground of injustice to the poor or hardship to the labourers. The hon. Member asked that the Bill should be withdrawn, and that the Government should bring in another measure dealing with the whole question. Really, Sir, in view of the enormous amount of business now before the House, I think he must have been making a little joke.

MR. COLLINGS: I did not mean now.

\*MR. LONG: Well, it would surely be better to take advantage of this opportunity of dealing with the question than to postpone all action for another year. It has been suggested that these schemes should be referred to the District Councils. I confess that, for my own part, I do not think it would be judicious to refer them to the District Councils. It is quite conceivable, and indeed almost probable, that there would be cases of charities affecting the inhabitants of several adjoining parishes; and it is also probable that in many cases these parishes would not be in the area of the same District Councils, and you might have the interests of the various Councils conflicting. Hon. Members know also that these questions of charities arouse an immense amount of feeling, so much so that it might be difficult to get a calm and deliberate judgment if those who had to settle them were themselves interested in them. There is, however, I think, a great deal to be said for the suggestion that the County Councils should have a voice in this matter. I would suggest that nothing has been said either by the Mover of the Second Reading or the right hon. Gentleman the Member for Bradford (Mr. Shaw Lefevre) which would deter the House



from introducing into the Bill such alterations as would give the County Councils statutory powers similar to those voluntarily given by the Charity Commissioners now. The Government are anxious to obtain the assistance of the Commissioners all over the country in dealing with these questions. The Charity Commissioners have informed the County Councils that if they would pass a general resolution expressing their desire that these schemes should be referred to them the Commissioners would agree to refer them to them. If hon. Members think it would be desirable that this should be made a statutory power, instead of being left to the discretion of the Charity Commissioners, the time for inserting such a provision in the Bill would be when the measure reaches the Committee stage. I, myself, should be glad to see such a provision adopted; and I think that, instead of wrecking the Bill at this stage, it would be far better to pass the Second Reading to-day, and put our heads together in Committee to see if we cannot make it a measure which will meet the wishes of all those who have the same object in view. Though I cannot endorse all that fell from my hon. and gallant Friend the Member for Essex (Major Rasch), as to the feeling of the labourers on this question, I know there is frequently strong feeling in the country districts as to the action of the Charity Commissioners. I do not agree with my hon. and gallant Friend that there would be any danger to the lives of the Commissioners if they went down to make inquiries. They might hear some home truths; but, at all events in Wiltshire, their lives and limbs would be safe. I think it is only due to the Charity Commissioners to say that, whether we approve of all they have done or not, we must admit that considering the vastness of the work they have had to do they have done it well, and that they have acted on the whole justly and fairly. So far as the Government are concerned, we shall be prepared to welcome such an alteration with regard to the County Councils as has been indicated by one or two hon. Members.

(4.17.) MR. GROTRIAN (Hull, East): The speech to which we have just listened no doubt disarms, to a  
*Mr. Long*

certain extent, a great deal of the criticism to which the Bill has been subjected. The question to my mind is, however, whether, when the Bill reaches Committee, we can so alter it as to meet some of the great objections which have been urged against it. I am afraid that in Committee it will not be held to be in order to carry out some of the Select Committees' recommendations. The Committee expressed the opinion that Municipal and Representative County Authorities are the best authorities to initiate schemes under which endowed charities of a district may be acquired; but that it should be left to the Charity Commission to see that the schemes are in proper form and in accordance with the law, and the exercise of a general control over the provisions contained in them. That is what I should like to see carried out in this Bill. The initiation of schemes, to my mind, should be left to the Representative Bodies, and not to the Charity Commissioners. It has been stated to-day that this Bill has no reference to, and can have no effect upon, schools which are dealt with under the Endowed Schools Act; but, in my experience, somehow these questions do seem to be mixed up. A case has been referred to once or twice which took place in Hull—a scheme for the endowment of a Grammar School for the promotion of middle-class education. It was in that case attempted to divert the funds from the Ferris' Charity, and though I wish well to the Hull Grammar School, I am exceedingly glad that the scheme was not carried out, as it would have been a distinct departure from the objects and wishes of the Founder, and an injury to the poor and needy of Hull. The question in my mind is the course I shall take on the Bill. I am anxious to see the main principle carried out; but I am in doubt whether, if this Bill is passed, an opportunity will not be lost of passing a better one for carrying out the recommendations of the Committees. In my vote I shall be much influenced by what the Representative of the Government says on the two points I have raised.

\*(4.54.) MR. HENEAGE (Great Grimsby): I feel very strongly, with my hon. Friend the Member for the Bordes-

ley Division, that this is not a complete measure, and that it is difficult to vote for it in its present shape. Still, I am not prepared to vote against a Bill which is based, so far as it goes, on an excellent principle. It is said that Amendments extending its scope in the direction indicated will be out of order in Committee. I am not prepared to accept that view; but this difficulty, if it exists at all, can be met by an Instruction to the Committee, and I trust that Her Majesty's Government will undertake to move such an Instruction, if necessary, and that they will also agree to send the Bill to the Standing Committee on Law.

\*(4.56.) MR. F. S. POWELL (Wigan): Perhaps even at this late hour the House will allow me to say a word or two on this question, seeing that I had the honour of being a Member of the Committee of 1887. It was my intention earlier in the day to have voted against the Bill; but as I have heard speeches containing attacks on the Commissioners, a body for whom I entertain the highest respect, which I believe to be unjust, in vindication of that body I shall vote for the Bill. It was said before the Committee of 1887 that the poor were excluded from the benefit of the charities. An inquiry was made into that subject during two years, and the result was the justification of the action of the Commissioners. The evidence showed that out of 3,989 scholarships formed under the schemes 1,145 were gained by scholars at elementary schools, and it was proved that the proportion of the children of the working classes who were obtaining them was increasing. The Committee reported that the Commissioners desired to do justice to the class for whom the charity was originally intended. The Bill is certainly incomplete, as it does not contain clauses carrying out the recommendations of the Committees of 1884 and 1887; but I see no reason why, at a later stage, that should not be rectified. I believe the Bill contains the elements of wise and useful legislation, and have great pleasure in supporting it.

\*(4.58.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I must protest against the suggestion of the hon. Member for the Bordesley Division, that

the issue before the House is whether property intended for the poor is to be diverted to the rich. If I thought that that was directly or indirectly the issue I should certainly vote against the Second Reading, for I yield to none in my desire to maintain for the poor the endowments originally made in their interest. During the past five years I have endeavoured in every scheme that has come before me to preserve the benefits to the poor. The hon. Member for the Bordesley Division also very unnecessarily referred to a case at Sutton Colefield, in Warwickshire, in which it was alleged that a large sum of money—£15,000 a year—had been diverted. The hon. Gentleman ought to have also stated that the case was inquired into by the Committee, which found that the action of the Charity Commissioners had been in accordance with the original endowment, and not contrary to it. The Report said that the original gift contemplated the benefit of all classes of the inhabitants, and that, while the scheme of the Charity Commissioners proposed a limited measure of endowment for the purposes of higher education, the larger part of the endowment was appropriated for the benefit of the poor. That case, however, has nothing to do with the subject of this Bill, and appears to have been introduced merely for the purpose of influencing the mind of the House in regard to the Charity Commissioners. Will the House believe that this Sutton Colefield scheme was under the Endowed Schools Act and had been on the Table of the House 40 days before it came into force? If anybody is responsible for that scheme, therefore, it is the House of Commons quite as much as the Charity Commissioners. Is it fair, I would ask, in connection with this Bill, to bring forward a case which would not be affected by this Bill, but is subject to the very safeguards which the hon. Member for Bordesley (Mr. Collings) desires should be imported into this measure. I am informed that the Hull case was also under the Endowed Schools Act in the same way. Unless it can be shown that this Bill, directly or indirectly, touches the powers of the Commissioners under the Endowed Schools Acts, I submit that the arguments founded in any case of this kind are *nihil ad rem* in con-

nection with the issue before us. The hon. Member for Bordesley said it was unjust to divert money intended for doles. I must remind the House that this question is settled by Section 30 of the Endowed Schools Act. The House has determined, in its wisdom, that charities which are wholly or partially applied to doles in money or kind may be appropriated for other purposes. During the last five years I have had some 10 or 15 cases of that kind before me, and such cases have gone before the Courts. I state, without hesitation, that the extension of the dole system, where the amount of the income of the charity has largely increased, is an unmixed evil. I do not for a moment suggest that it is not a prudent and proper thing to have power to grant money to persons in distress during the winter, or in bad times, and in none of the schemes that have come before me have I omitted to give such power, but I could give the House instances in which the money originally left has largely increased from £200 or £300 to £1,000 or £1,200. It surely will not be contended that it would be wise to apply these largely increased sums in the form of doles.

**MR. COLLINGS:** I distinctly stated that I did not defend doles, but I argued that if the House considers some other form of charity was better the money should then go to the same class as that for which the doles were meant.

**\*SIR R. WEBSTER:** I am extremely glad to hear that from the hon. Member, but, as a matter of fact, I do not think he went so far as that in his speech. It has been suggested that the action of the Charity Commissioners has been to withdraw charities from those for whom they were meant, to transfer them to other persons. I do not pretend to say there has never been such a case, but certainly no such case has come under my knowledge. I cannot help thinking that what is in the mind of the hon. Member for Bordesley is that there have been cases under the Endowed Schools Act where this has been done. This, however, is a matter with which we are not concerned to-day, as this measure does not touch the Endowed Schools Act. If

*Sir R. Webster*

it had been possible to show that the money left for medical aid, for nursing, and so on, had been taken away from the poor and given to the rich it would be a most important case to deal with. I do not believe any such case exists, and, if it does, the action complained of must have been taken a very long time ago. Perhaps the House will understand that this matter of nursing the poor and assisting them in times of sickness is always prominently before those who have the administration of these schemes. I wish the House to understand that, in all the schemes that come before me where the *cy près* doctrine is applied, we always look first after the people who are intended to receive the benefit, and when we find the income has largely increased we endeavour to devote some portion of the amount to the original object of the founder of the Charity, and devote the remainder to kindred charities, the benefits of which will go to the same class of persons. It is not just to suggest that the persons who have to deal with these matters are not actuated by the same philanthropic motives as the hon. Member. Beyond removing the limit of £50, which I think will be generally regarded as an arbitrary limit, the Bill does not extend the powers of the Commissioners. In my opinion, the power of appeal will be preserved under the Bill as it stands, but if the hon. Member for Islington will bring forward a clause in Committee with the object of making this certain, I shall be happy to consider it. It is because we desire to protect charities that we think that the removal of the £50 limit would be an advantage, and not because we think it would enable the Charity Commissioners to carry out any improper schemes. Speaking for myself—because this is not a Government matter—I have not the smallest objection to other safeguards being inserted in the Bill for the control of the Local Authorities, provided that they are guarded by proper clauses. I cannot conceive that it could possibly be out of order to bring up under this Bill the very same proposals as were mentioned in the Report of the Committee as being desirable. The hon. Member for Bordesley thinks it would be an extremely wrong thing that the Charity Commissioners, or the High Court, should

be able to alter the schemes which are controlled by Act of Parliament. It is by no means clear that the Court of Chancery has not got this power at the present time. I have had before me, during the last year or two, a couple of cases in which charities, which would be charities in the ordinary sense of the word, differed from other charities simply in the fact that the purposes to which the funds could be applied were contained within the four corners of private Acts of Parliament instead of being written out in a deed. They were clearly cases for the application of the *cy près* doctrine, but the difficulty suggested was that if we tried to apply the *cy près* doctrine, we touched an Act of Parliament. If it is desirable to alter the mode of the application of a charity which is 300 years old, given by a will, why should it not be possible to apply the same principle to an Act of Parliament of the same age? I hope hon. Members will not think it in any way disrespectful of me if I do not deal with some of the other points raised. I cannot but think that the Debate has ranged over a wider field than it should have done, because hon. Members have not considered what are the real limitations of the Bill. Perhaps it will be possible in Committee to insert Amendments which will practically meet all objections which constitute anything like a serious opposition to this Bill, and I hope and trust it will not be said that, in supporting the Second Reading, we are desirous that a single penny should be diverted from the poor people for whose benefit it has been left.

**MR. RATHBONE:** We should be quite willing in Committee to accept Amendments giving County Councils and Town Councils statutory powers.

\***SIR A. ROLLIT:** The Debate has had the practical advantage of causing suggestions to be made by the Attorney General, especially in relation to my point as to Municipal initiative in pursuance of the Report of 1884, which will have the result we all have in view. Under these circumstances, I beg to withdraw the Amendment.

Amendment, by leave, withdrawn.

Original Motion put, and agreed to.

Bill read a second time, and committed for Tuesday next.

# ACCESS 'TO MOUNTAINS (SCOTLAND) BILL.—(No. 20.)

## SECOND READING.

Order for Second Reading read.

(5.21.) **MR. BRYCE** (Aberdeen, S.): As the Party opposite have shown such an unexpected interest in Charitable Trusts, I will not trouble the House now with this Bill. I will, however, take an opportunity of bringing the question before the House in some other manner this Session, when it will not be possible to use tactics like those which have been adopted to-day.

Second Reading deferred till Tuesday, 20th May.

# CROFTERS' HOLDINGS (SCOTLAND) (No. 2) BILL.—(No. 109.)

## SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That this Bill be now read a second time."—(*Dr. Farquharson.*)

(5.24.) **THE LORD ADVOCATE** (Mr. J. P. B. ROBERTSON, Bute): It is most extraordinary that the hon. Member should propose the Second Reading of a Bill of this importance without one single word of explanation. The nature of the Bill may be gathered from the fact that there have been proposals, from time to time, to extend the Crofters' Act to this county and to that county; but now hon. Gentlemen propose that the Act should not merely be extended in its terms to certain specified parts of Scotland, but that it should, as a whole, be remodelled, and then be made the statute law of the whole of Scotland. One result of that would be that a Land Court would be established in Scotland, and would have the determination of every question that might arise between landlord and tenant over every acre in Scotland at present administered by the Crofters' Commission. I ask hon. Members, as practical men, whether such a proposal would not constitute one of the greatest changes which could be proposed affecting the

Land Laws of any country? The next question is—Is it decent that the House should be asked at twenty-five minutes past five on a Wednesday to read such a Bill a second time, when, as I believe, not one in ten has the slightest idea of its contents? One curious result of the Bill, which hon. Gentlemen opposite ought to consider, is this. If fixity of tenure is given, as the Bill proposes, for the whole of Scotland, the result would be that no man would have a chance of getting a farm in Scotland except the descendants and successors in title of the present occupants. One of the standing grievances at present of agriculturists is, that people get hold of farms who are not agriculturists, and that they raise the rents by their competition. Now, that class would be stereotyped by the proposal of the Bill. Anyone who is cognisant of the various conditions of agriculture in Scotland must conceive that a plan, which I must assume in the meantime to be well adapted to the crofting parts of Scotland, could never be expected to work well in the agricultural parts of Roxburghshire or the plains of the Lothians. I ask any hon. Gentleman who may follow me in the Debate, how he would propose to work out a system which would apply to the hungry peasants on the stormy shores of the Lews, and also to the persons paying high rents, the leaders of agricultural improvements in the wealthy plains of Mid Lothian and Haddingtonshire? Have hon. Members considered how the Land Court is going to work, whether the country generally is prepared to submit the affairs of landlord and tenant to the investigation and scrutiny of lawyers and their associates? Have hon. Members the consent and mandate of their own constituents to a proposal of this kind? I have read the Bill from beginning to end, and cannot discover that even the intelligent hand of the Crofter Members has been directed to the improvement of the system under the existing Act, of which they have been the persistent critics; and when I turn to the names of the Lowland Members on the back of the Bill, I am still more at a loss to understand whether they share the evil opinion of hon. Members below the Gangway on the working of the Crofters' Act.

*Mr. J. P. B. Robertson*

It being half past Five of the clock, the Debate stood adjourned.

Debate to be resumed on Wednesday, 25th June.

HARES (CLOSE TIME) BILL.—(No. 34.)

Order for Second Reading read, and discharged.

Bill withdrawn.

NEW LICENCES (IRELAND) BILL.

(No. 249.)

SECOND READING.

Order for Second Reading read.

MR. T. M. HEALY (Longford, N.): Seeing the First Lord of the Treasury in his place, I would ask him, seeing that this Bill is backed by a Conservative Member as well as Gentlemen on this side who, to some extent, represent the interests of the licensed traders in Ireland, and as the Government Bill entirely fails to carry out the pledge given by the Government in relation to the suspension of licences in Ireland being on the same footing as in England—though I am making no complaint about it now—I ask the right hon. Gentleman to allow this Bill to be read a second time, leaving the Government to introduce Amendments in such a way as will carry out their intention. I cannot conceive there will be any objection to the Second Reading in any part of the House. The hon. Member for S. Belfast is a strong Conservative, and his name is on the back of the Bill. I am happy to have his assistance, together with that of hon. Gentlemen who, more or less, represent the views of licensed victuallers.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I have only myself seen the outside of the Bill, and have no knowledge of its contents. My right hon. Friend the Chief Secretary is not now in his place, and I think, therefore, I can hardly assent to the Second Reading in his absence. But I recognise the assistance which the hon. and learned Gentleman is anxious to give towards a settlement of this question, and I do not mean to say we shall not be very glad to avail ourselves of that assistance. If the hon. and learned Gentleman will consent to postpone the Motion for Second Reading for a day or two, we will meantime make

ourselves acquainted with the method he and his friends prefer, and endeavour, if possible, to reconcile it with the view we entertain as to how the matter should be dealt with.

MR. T. M. HEALY: Accepting the assurance of the right hon. Gentleman, I will postpone the Order to Friday.

Second Reading deferred till Friday.

#### MINES (HOURS OF LABOUR).

Address for—

"Return showing the average number of hours and days, daily and weekly, worked by Men and Boys from bank to bank, and otherwise, in and about Mines in the United Kingdom, under the Coal Mines and Metalliferous Mines Acts, stated by Counties, or groups of Counties, or Inspectorates, as follows:—

1. Men and Boys engaged in getting Mineral;
2. Men and Boys engaged in carrying Mineral from the face to the pit bottom;
3. All other underground workers not included in the above;
4. Persons employed on the surface;
5. Usual number of hours per day during which Minerals are drawn to the surface."—(*Mr. Provand.*)

#### INCIDENCE OF TAXATION (ENGLAND, SCOTLAND, AND IRELAND).

Motion made for copy of

"Statement showing the Incidence in England, Scotland, and Ireland of (a) general Taxes applicable to local purposes as estimated for 1890-91, and (b) of Imperial Taxation as collected in 1888-9."—(*Mr. Jackson.*)

MR. SEXTON (Belfast, W.): This is the Return, I presume, which was promised on Tuesday. I should like to know whether it will show, in regard to the proposed new Spirit Duty, the probable amount from the three countries?

THE SECRETARY TO THE TREASURY (MR. JACKSON, Leeds, N.): Yes, it will show the total amount of the Spirit Tax and the allocation to the three countries as regards consumption, giving, I think, what hon. Gentlemen require.

MR. SEXTON: Shall we have it to-morrow?

MR. JACKSON: Yes.

\*MR. CHILDERS (Edinburgh, S.): I think it was mentioned before that the Return might give, with the results for

each part of the Kingdom, the proportion in regard to the additional taxation proposed. If the Secretary to the Treasury will undertake to add that, it is information it is very desirable to have.

MR. T. M. HEALY: Is it intended to take the Budget as first Order to-morrow?

MR. JACKSON: Yes.

MR. T. M. HEALY: I hope we shall have the Return before resuming the Debate.

MR. JACKSON: It was promised to-morrow afternoon, and although it has been extremely short notice every effort will be made to keep that engagement. As to the question of the right hon. Gentleman, the Return will give the amount of the Spirit Duty, and, of course, it will be allocated on the basis of the proportions 80 per cent., 11 per cent., and 9 per cent. It will show the amount consumed in each country.

\*MR. CHILDERS: My suggestion is that a note should be given showing the special allocation of the additional duty imposed by the Budget. It will be only four lines, and be a great convenience.

MR. JACKSON: Yes; I think it will be an advantage.

Motion agreed to.

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 163.]

#### ARRANGEMENT OF BUSINESS.

On the Motion for adjournment,

\*MR. CHILDERS: Perhaps the right hon. Gentleman will now tell us what will be the business on Friday?

MR. W. H. SMITH: The Customs and Inland Revenue Bill in Committee will be taken to-morrow, and, if not concluded then, on Friday. If it is concluded to-morrow we shall ask the House to take the Third Reading on Friday, and probably Supply.

\*MR. CHANNING (Northampton, E.): Will the Allotments Bill not be taken on Friday?

MR. W. H. SMITH: I cannot say positively.

MR. S. EVANS (Glamorgan, Mid): When the Allotments is finished will the Tithes Bill be taken?

MR. W. H. SMITH: It is quite impossible to make such prospective arrangements; it is sufficient to say what will be taken to-morrow and Friday, and I cannot go beyond.

#### PARLIAMENTARY PAPERS.

MR. T. M. HEALY: I wish to make a complaint of the non-distribution of an important Blue-Book this morning. I allude to the Report and evidence of the inquiry into the treatment of treason-felony prisoners, John Daly and others in Chatham prison. I think Irish Members have reason to complain of having to sign a formal document to obtain copies of every Irish paper, including Land Commission Reports, and this causes great inconvenience. I should have thought that, seeing the attention that has been drawn to this particular Report, it would naturally have been distributed to all Members. It is well, I think, that English Members should have no impediment put in the way of their obtaining information upon Irish matters. We have pressed for this Report, time after time, and yet when it is ready we do not receive it unless we sign a special demand for it. It is a "penny wise and pound foolish" course to follow, and will only lead to Members making a general demand for all papers.

MR. JACKSON: There is no different treatment for papers relating to Ireland. The matter does not rest with me, but I may say it is open to all Members to have papers sent to them by simply giving instructions. Papers of general interest are distributed, but, as to others, it is impossible to make a selection to meet the wishes of individual Members.

MR. J. SINCLAIR (Ayr): There are many papers which are not distributed, but which we ought to receive. The complaint does not attach to Irish papers only. The Education Codes for England and Scotland are not distributed unless a demand is made, but I think that it is

obvious such papers as these are required. I think that a better selection should be made, and that papers relating to a particular part of the country should be sent to Members who represent that part.

MR. H. H. FOWLER (Wolverhampton, E): I think the Secretary to the Treasury is wrong in saying a selection cannot be made. Until the last two years we had the "long" and the "short" list. It was a convenient arrangement, and I am sorry it was departed from. I was always opposed to this "red paper" system. We simply do not get the information we ought to have because we do not happen to have signed a demand, and an official takes such an estimate of his duty as excludes the sending of particular papers. The present practice is inconvenient, and does not in reality secure any economy, for the expense is in the setting up of the Blue Books, and not in the number, a few more or less, that happen to be used. I served on the Committee appointed by the Treasury in reference to the Stationery Department, and I came to the conclusion that the extravagance in this Department is not in connection with Parliamentary papers, but elsewhere. I only wish the right hon. Gentleman the First Lord would take the matter in hand, and I am sure there would be much less ground for complaint.

#### MR. SANDES.

MR. E. HARRINGTON (Kerry, W.): May I ask the right hon. Gentleman if he has any information he can give the House as to the decision of the Lord Chancellor in reference to the conduct of Mr. Sandes, the Magistrate, which has been the subject of questions in the House? I understand that some decision has been arrived at.

MR. W. H. SMITH: I am sorry to say I have no information at all on the subject.

House adjourned at ten minutes before Six o'clock.

## HOUSE OF LORDS,

*Thursday, 8th May, 1890.*LORD LOUTH'S CLAIM TO VOTE FOR  
REPRESENTATIVE PEERS FOR  
IRELAND.

Ordered and Directed, That a Certificate be sent by the Clerk of the Parliaments to the Clerk of the Crown in Ireland, stating that the Lord Chancellor of the United Kingdom has reported to the House of Lords that the right of the Lord Louth to vote at the elections of Representative Peers for Ireland has been established to the satisfaction of him the said Lord Chancellor; and that the House of Lords has ordered such report to be sent to the said Clerk of the Crown in Ireland. And it is hereby also Ordered, That the said Report of the said Lord Chancellor be sent to the Clerk of the Crown in Ireland.

The Lord Kilmaine—Took the Oath.

ADMINISTRATION OF THE LUNACY  
ACTS.

## QUESTION—OBSERVATIONS.

LORD BARRINGTON: I beg to ask the noble and learned Lord on the Woolsack whether the Justices appointed under the Lunacy Act, 1889, have jurisdiction to make orders under the Lunacy Act, 1890, or whether it is necessary that they should be appointed under the later Act?

THE LORD CHANCELLOR: The Justices appointed under the Lunacy Act, 1889, have jurisdiction to make orders under the Lunacy Act, 1890. The jurisdiction established under the Act of 1889 was expressly preserved by Section 342 of the Consolidation Act. The Justices are, therefore, precisely in the same position with regard to their jurisdiction. I am glad the noble Lord has asked the question, because I understand that some doubts have been raised, and I think it very important that it should be clearly understood that they have the same jurisdiction under the existing Act as they had under the statute by which they were appointed.

VOL. CCCXLIV. [THIRD SERIES.]

PROTECTION OF CHILDREN BILL.  
(No. 68.)

## SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR: I would ask the noble Earl to postpone his Motion for the present. I only received the print of the Bill to-day. I do not know when it is to be issued, but certainly it is not in the House at present. I have received an intimation from the Home Office that the authorities there are desirous of having an opportunity to say something on the matter. I may tell the noble Earl that after what passed the other day in this House I thought it my duty to give directions that a Bill should be prepared on the subject on behalf of the Government. I do not invite the noble Earl to withdraw his Bill, but only to postpone it for the present. There is much in the Bill of the noble Earl of which I entirely approve; but to some of the clauses I think I shall have to object. It seems to me to be most undesirable that there should be a sort of race between the two Bills, and I, therefore, ask the noble Earl to postpone at present the consideration of his measure. When they both come before your Lordships' House I shall ask that they be referred to the same Committee.

THE EARL OF MEATH: I will certainly not move the Second Reading after what the noble and learned Lord on the Woolsack has stated, and I at once assent to his suggestion.

Order discharged.

COMMISSIONERS FOR OATHS ACT (1889)  
AMENDMENT BILL.—(No. 63.)

## SECOND READING.

Order of the Day for the Second Reading, read.

LORD HERSHELL: My Lords, this Bill is to remedy a result which I believe was unintentional from the terms used in the County Court Consolidation Bill, the effect of which has been that the Commissioners for taking oaths in the County Palatine of Lancaster are not now able, as they were previously, to take oaths in cases in the County Courts. The Bankruptcy Act expressly enables

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them to take oaths in bankruptcy cases in County Courts, so that the effect is now that they can take oaths in bankruptcy cases in the County Courts but not in other cases. This Bill is simply for the purpose of restoring to them in that respect the powers which they have been exercising in another for many years. I understand there is no objection on the part of my noble and learned Friend.

THE LORD CHANCELLOR: I have not the least objection. The noble and learned Lord has been good enough to postpone it upon my expression of doubt upon the question whether rights have been preserved. I find there is not the least doubt about it.

LORD HERSCHELL: The Bill consists of only four lines, and as it is so short your Lordships may be of opinion that there is probably no necessity for sending it to the Standing Committee, but that it should be dealt with by a Committee of the whole House.

Bill read 2<sup>a</sup> (according to order), and committed to a Committee of the Whole House on Monday next.

#### THE TECHNICAL INSTRUCTION ACT.

##### QUESTION.—OBSERVATIONS.

\*THE MARQUESS OF RIPON, in rising to ask Her Majesty's Government whether, under the Technical Instruction Act, 1889, Local Authorities are permitted to grant scholarships to be held in technical schools or colleges, and to pay the fees of scholars in such institutions; and, if so, whether such scholarships granted to persons residing within the district of the Local Authority are tenable at institutions outside that district, said: My Lords, the Act of Parliament upon one point in connection with which I am desirous for a few moments of directing your Lordships' attention with the view of obtaining some information from Her Majesty's Government is, I am bound to say, one of the most ill-constructed and difficult Acts to administer which I have ever known in the course of a somewhat long public life. But I do not propose to trouble your Lordships with any general observations upon that matter, especially as my noble Friend, Lord Norton, has had upon the Paper now for a considerable length of time a notice relating to this Act, and I do not at all

*Lord Herschell*

wish to trespass upon ground in reference to which he might desire on a subsequent occasion to address your Lordships. I wish to address myself to-night to a single question, namely, whether it be or be not open to Local Authorities, that is to say to County and Municipal Councils under this Act, to promote its objects by granting scholarships to individual students to be held by them in technical schools or colleges, or by paying the fees of those individual students in those institutions. In some parts of the country, and particularly in that with which I am myself directly connected, the West Riding of Yorkshire, many of those who have most experience in these matters, and who have given great attention to the question of technical education, are of opinion that there is no better way in which, under the difficulties of this Act and its hampering restrictions, County Councils could aid in promoting technical education than by granting scholarships to students in public elementary schools or similar institutions be held by them in connection with technical schools and colleges; and, entertaining that view, the West Riding County Council addressed communications both to the Science and Art Department, presided over by the noble Viscount opposite, and also to the Local Government Board upon this and various other questions connected with the working of the Act. Upon this particular question of the granting of scholarships, we received, I regret to say, different answers from the two Departments. The Department presided over by the noble Viscount treated us with the utmost possible consideration and courtesy, and answered our questions in the fullest manner; the Local Government Board were somewhat more brief, telling us that we could not do what the noble Viscount's Department led us to hope we might do. Therefore it is that I address myself now to Her Majesty's Government to endeavour to elicit from them, if I can, a clear expression of opinion upon this subject; and I may say that I do so, not in my own name alone, but by direction of the Technical Instruction Committee of the County Council, with which I am connected. The Department told us that if we had any doubt upon this question we might take counsel's opinion. Of course, it is quite

open to us to take counsel's opinion, but it is an expensive process, and one which will only give advice to the single County Council which may take the opinion. And, after all, my Lords, if the Local Government Board holds the view that these scholarships cannot be granted by the County Councils under the powers of the Technical Instruction Act it is no use our taking counsel's opinion, because the Local Government Board's Auditor will have to consider whether such expenditure is legitimate, and whether in regard to any such expenditure he ought not to surcharge us, and we may find ourselves perhaps in a very awkward position. Therefore, I hope Her Majesty's Government will give us such an expression of opinion or will intimate their intention of taking such advice upon the matter as will enable us to feel secure as to the course the Local Government Board will take in respect of it. I need not occupy your Lordships' time by pointing out the advantages which, at all events in populous districts near large town-centres, would result from a system of this kind. In populous manufacturing towns there are good technical schools and colleges, and it is only in such centres of population that they can be satisfactorily established, that is to say, only where they have a nucleus of population attached to or surrounding them upon which they can rely for the chief part of their students. I think it would be a very good way of extending the value of those institutions if the Local Authorities were able under the Act to make grants for scholarships to students at a certain distance from the towns where the schools are situate, in order that they might attend those schools and classes. That, of course, is not applicable to a county which is mainly rural, and perhaps but little supplied with railway accommodation; but where railway accommodation is good, and trains are cheap and frequent, I believe a system of that kind would be found to work extremely well, and that a numerous body of very competent students might be drawn into the colleges and schools from the surrounding districts. It is therefore very important, if the Act is to be carried out and made generally useful, that a power of that kind should exist. But, my Lords, besides the first question, whether it is open to us under

the Act to grant scholarships at all, there arises, unfortunately, a second question upon which I regret to say the two Departments of which I have spoken are agreed. They both tell us that if we could give scholarships at all, we could not make those grants to be held in institutions which are situate outside our own administrative county. Now, in large counties like Lancashire and Yorkshire, which have several county boroughs within them, it is in those county boroughs generally that most of these institutions are situate; and if we are debarred from granting scholarships to be held in those institutions, the concession if it could be made to us of granting scholarships at all would be very seriously impeded in its utility. I know very well, my Lords, that under the Act, Section 1, Sub-section D, we are not empowered to make grants for the maintenance or in aid of any institutions outside our own districts. But the question which I am anxious to submit for the consideration of the Government is, whether that restriction in regard to making grants to institutions within our own districts would preclude us from making grants to individuals who reside within our own districts, although they might make use of those grants to attend institutions which are outside those districts. I am advised by those whom I have consulted upon the matter that that point is not at all clear; but they think that such grants might be made to the individuals, provided they reside within the administrative county, although they might make use of them outside that county. Now, my Lords, the only fair principle upon which I think the scholarships should be granted is, that they should be given to the individuals, to be held by them and used by them in any institution at their choice in which suitable technical instruction is given. Of course, County Councils giving the grants must preserve the right to say that they shall be employed in institutions of a satisfactory and efficient character; but I do not claim at all that they should have the power of choosing the institution to which the scholar shall go, except in so far as requiring that it is fit to give the desired instruction. But if that be the principle, surely the student should be free to take his scholarship with him wherever he likes,

it being, of course, always understood that he is *bond fide* resident within the administrative county. Those are the two questions which I desire to address to Her Majesty's Government. I do not know what answer I may receive; but I hope very much that it may be an answer as favourable as the circumstances of the case and the wording of the Act will permit. I think it is a case in which, especially considering the ill-wording of the Act in question, Her Majesty's Government would do well to give the utmost latitude they possibly can to Local Bodies. I believe that to be the principle and object of the Act, and I hope that in their interpretation of the Act they will take that view. But if the noble Lord who may reply to me is not prepared at this moment to give any satisfactory answer to the suggestion I have made, I will still continue to hope that Her Majesty's Government will re-consider the subject. I know the difficulty of amending an Act of this kind. Of course, I am not ignorant of the existence of outside considerations distinct altogether from the question of technical instruction which have entered into the discussion and consideration of measures of this kind, and therefore I do not ask Her Majesty's Government to amend the Act; but I do hope that if they have not made up their minds finally upon it, they will take steps to ascertain from their legal advisers the actual bearing of the Act and give to the Local Bodies concerned the amplest latitude permitted by it.

\*LORD NORTON: My Lords, I desire to say a few words before the noble Viscount replies on behalf of the Department he represents, as I have a notice on your Lordships' Paper to bring the whole subject before the attention of the House. The noble Marquess has put two very important questions relating to this general subject, but I am afraid if we deal with only one or two details of it we shall shut our eyes to the character of the whole Technical Instruction Act, which is not only unintelligible, but absolutely mischievous from the attempts to act upon it which have been made in several towns throughout the country. The noble Marquess has only moderately described the looseness with which this Act was passed last year. It was passed during the last week of the Session

*The Marquess of Ripon*

in the other House, the principal Amendments introduced by Mr. Mather being passed in his absence; and in your Lordships' House the Act passed through all its stages in 25 minutes. Now, it is rather an important subject to be dealt with in that sort of cursory manner, and the mischief of dealing in that way with a subject of this great importance is, that it leads people to attempt to deal with it in an imperfect manner. It is extremely difficult to remedy afterwards such experiment. The noble Marquess states that, in his County Council, difficulties have been experienced which he asks the noble Viscount to explain. I can tell him that in Birmingham, which is the largest town in my neighbourhood, and I believe the most active in attempts to establish institutions of this sort, they have found it so impossible to understand the Act that they had to come to the Department in London to ask how they could, by almost a process of evasion, escape its difficulties and do something in a side manner to carry out its objects. Questions arose between the County Council and the School Board, the School Board wanting to have the control, and the County Council saying that the Act had placed the subject in their hands. They wanted to know whether they might not make a sort of Joint Committee between the two which would enable them to carry out the object of the Act. But how does the Act propose to define technical instruction? Probably the framers of the Act, not knowing exactly what they meant or intended, have said that technical instruction shall mean anything which the Department at South Kensington may give grants to. That is rather a dangerous latitude for an unlimited command of public rates. The meaning which has been given to it has been seen in the technical instruction given in some of our large towns. In some places little children are seen planing or sawing pieces of wood, by way of technical instruction; in others there are workshops for the construction of engines of considerable size, which are sold in the market in competition with the trade itself. Technical instruction may really mean anything. All the industrial and reformatory schools of the country are giving technical instruction. The noble Marquess asked two questions

in regard to scholarships. Giving scholarships to existing institutions is, I quite agree with him, the best mode in which the object of this Act could be carried out. It is the greatest mistake for us to suppose that in all parts of the country technical schools, whatever that term may mean, should be instituted. It is impossible that Government institutions of that sort shall teach all trades, or even prepare for them. How are they to provide for students to be made Jacks-of-all-trades? The way in which Parliament could best authorise public expenditure for giving technical instruction to our operatives, would be by enabling the Local Bodies to pay for scholarships to existing institutions. The fact is that Parliament, by pretending to provide for such instruction, is doing the great mischief of checking those who are interested in providing it, and who are doing so in more liberal, and in much better ways. Our manufacturers, one and another, are providing for technical instruction, each in their own way, many of them most magnificently; and if Parliament would enable the Local Authorities, out of the rates at their command to give to clever poor children the means of profiting by such provisions, they would be doing great practical good. I believe that at this moment there is a Bill before the other House attempting to amend the unintelligible Act of last Session, and I am afraid the noble Marquess is only dealing with a very small part of a most important subject, for the Act will require to be reconstructed upon an entirely different principle, namely, not attempting to provide, out of public money, institutions for giving technical instruction throughout the country, but to encourage the increase of existing institutions, and to enable them to be taken advantage of by capable youths whose parents cannot afford the education which it is the object of the Act to secure.

\*THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): My Lords, my noble Friend has given so very large an expansion of the questions which the noble Marquess has put to me, that he almost calls upon me to defend the Act which now exists. I was not present during the 25 minutes which, the noble Lord says, constituted all the time that was devoted in this House to

the measure, but I cannot help thinking that the argument which has been addressed to your Lordships would have been much better employed in endeavouring to prevent the Act passing at all. My noble Friend seems to think that this Act was passed against the wishes of the manufacturers and those interested in technical education. So far from that being the case, it was on account of the extraordinary pressure exerted on the part of those interested in technical education, and the manufacturers throughout the country, that, at the last moment, when all hope had been given up of the Bill being passed, that it was forced through Parliament. That was on account of the pressure brought to bear by those who were interested in the subject. I think my noble Friend will find he is considerably mistaken as to the operation of this Act. I have reason to suppose that advantage is being taken of its provisions. In consequence of the notice he has given I have endeavoured to ascertain what is really being done, and I shall be very happy, when I have got the full Returns, to satisfy my noble Friend on that subject. Some towns have adopted, and others are preparing to adopt, it, and I have no doubt it will be found to be easily worked. To come to the questions which have been put by the noble Marquess, they are questions which no Department—certainly not the Department under my control—can possibly answer. The Act of Parliament which has been passed empowers the Local Authority, if it thinks fit, to supply, or aid the supply, of technical or manual instruction to such extent and upon such terms as the authority may think expedient. That, no doubt, enables them to negotiate with the managers of institutions, or themselves, to supply such institutions if they think proper, that is to say, within the bounds which my noble Friend has spoken of as an unlimited pressure upon the rates. The Act of Parliament provides that the whole pressure upon the rates shall not exceed 1d. in the £1, and, therefore, there is no unlimited expansion at all, but only a limited effort permitted to Local Authorities to encourage technical education. My noble Friend has invited me to give an opinion upon this matter, but I am afraid my opinion is not of any great value, nor could it be taken on be-

half of the Department, because I have no jurisdiction in the matter. The only jurisdiction given to the Science and Art Department is upon three points. That is to say, if the Local Authority divides the money appropriated to technical instruction, it is the duty of the Department to see that the provisions made for the purpose under the section are sufficient. It has to decide whether the schools are qualified to receive such grants, or to participate in them, and as to the amount to be allotted to each of the schools in proportion to what they are doing; but not at all to interfere upon either of the points to which the noble Marquess has called attention. He will see, by reading Section 1, Sub-section D., that it is made clear that outside the District no grant can be made by a Local Authority, nor is there any provision in the Act, whether for giving money to individuals to carry them either into the district or out of it. It must be a grant to a society. Even though the Local Authority may not be qualified to establish a scholarship, or to take the steps with regard to instruction suggested by the noble Marquess, yet by agreement with the local institutions as to the money they will grant, it seems to me these things might be easily done. It is quite obvious that the Local Authority can assign the money in whatever way it pleases, so long as it does not infringe upon the proper use of those funds, as laid down in the Act of Parliament, but if it chooses to employ the money in scholarships, I presume it could do so. As to the two Departments, which my noble Friend seems to think gave different opinions, it seems to me they gave the same opinion, that they were in no position to give an opinion at all upon the questions put to them. Whatever opinion I may have formed myself upon the matter is of little value, because the point lies outside the purview of the Department over which I have the honour to preside. The Departments could give no opinion, inasmuch as the legality of the application of local funds in that way is open to argument, and as the point, when raised, must go before the Local Government Board auditor, it would be better for the Local Authorities to take legal advice before giving grants for the purpose of such instruction. If I were to give an

*Viscount Cranbrook*

opinion upon this subject, I do not hesitate to say that it would not be of any real value, and that it would not help the noble Marquess at all. I think all noble Lords who have held office in the public Departments of this country, will agree that it is not the duty of the officials of Departments to take opinions for those outside, where the Department itself has no authority to intervene. If I had authority to decide these questions, it would be my duty to take the opinion of the law officers, and to do the best I could to form a judgment upon the matter. But the duty lies outside, upon the Local Authority. The Local Authority runs the risk of having to come before the auditor of a Government Department, and, without the least wish to interfere with the Local Authorities, we must call upon them to protect themselves, from a legal point of view, in any course they may think proper to take. I say that the more confidently because the carrying out of this Act is not put under the Department over which I preside, but belongs rather to the Local Boards who are called upon to administer them.

#### COMPANIES (MEMORANDUM OF ASSOCIATION) BILL.—(No. 67.)

##### SECOND READING.

Order of the Day for the Second Reading read.

\***LORD BALFOUR OF BURLEIGH:** My Lords, in moving the Second Reading of this Bill, I shall not occupy many minutes, because the Bill itself, though of considerable importance, is not of great length, and will not require very much explanation. Its object is to allow a Limited Company, incorporated under the Limited Liability Acts, to alter its Memorandum of Association within certain limits. The necessity for such a measure arises from the difficulty which is experienced in getting the most necessary alterations made in a Memorandum of Association of a Limited Company, even when the shareholders are unanimous. Requests for permission to make such alterations come, from time to time, before both Houses of Parliament in the form of Private Bills, because it is only by the authority of Parliament that alterations in the Memorandum of a Limited Com-

pany can be made, with some slight exceptions. It is, of course, within your Lordships' knowledge, that to get an alteration, a very simple alteration, perhaps, made in a Memorandum in this way is both expensive and troublesome. I am far from saying there should not be some trouble, if not some expense, necessary before an alteration should be permitted to be made in the Memorandum of Association of a company, which is an important document and one to be treated with great respect. It is not to be lightly altered, or altered to the prejudice of those who, upon the faith of it, have taken shares in a company. But the point I wish to put before your Lordships is that the present state of matters imposes undue and unnecessary difficulty and undue and unnecessary expense in getting even the simplest alteration made in a Memorandum of Association. Now, no alteration in a Memorandum of Association of a company can be made except as provided in the 12th section of the Companies' Act, 1862. The provisions of that section are to the following effect:—

"That if any Company limited by shares desires to modify the conditions contained in its Memorandum of Association it can do so if authorised by its regulations as originally framed or so altered by special resolution; but the purposes of the alterations which is proposed to be made in the Memorandum of Association are limited to the following matters:—'The capital may be increased either by the issue of new shares, or, if desired, fully paid-up shares may be converted into stock;'"

But with that exception, and save as therein provided, in the case of change of name no alteration can be made by any company in the conditions contained in its Memorandum of Association. It is, therefore, the law at the present time that the objects of a company, as first stated in its Memorandum of Association, cannot be departed from, except as I have mentioned. In other words, the Memorandum of Association is the charter of the company, and no alteration can be made in it, however much it may be for the good of the company, or however anxious or unanimous the shareholders may be in their desire to effect the alteration. My Lords, I may be allowed, perhaps, to quote two sentences, one from the judgment of the late Lord Cairns in giving a decision in this House in the case which is the

leading authority in these matters, where he uses these words—

"A Memorandum cannot be so qualified by the articles as to give power to extend or change the business or objects of the company by a special resolution;"

and the noble Earl opposite (Lord Selborne), in giving judgment in the same case, said—

"The Memorandum of Association is, in fact, the fundamental and, except in certain specified particulars, the unalterable law of the company which is incorporated by it."

Now, as I have said, if it is necessary for a company to make even the simplest alteration in its Memorandum of Association it often happens that the expense and trouble are out of all proportion to the value of the alteration itself or the benefit to be obtained by it. This, my Lords, is not a new matter. It has been before Parliament on a previous occasion, and last year Parliament appointed a Joint Committee of both Houses to consider it. That Joint Committee was composed of Members of your Lordships' House and of the House of Commons, whose names will, I am sure, command the confidence of all. From this House there were appointed the Lord President Earl Morley, Lord Herschell, Earl Crawford, and Lord Hillingdon; and from the other House Mr. Courtney, Mr. Bristowe, Mr. Haldane, Mr. Raikes, and Sir Horace Davey. That Committee deliberated upon the matters referred to it and reported unanimously that it was expedient power should be given to companies to alter their Memoranda of Association or Articles of Association within certain limits, which they described, and always subject to the approval of the High Court in England and Ireland, and, if in Scotland, to the consent of the Court of Session. My Lords, the limits which the Select Committee recommended should be imposed upon alterations are that every Member of a company, who by himself or by his authorised agent, has expressed dissent from such resolution, at any meeting held for passing the same, and every holder of debentures or debenture stock, or any class of persons whose interests will, in the opinion of the Court, be directly affected by such power to alter may appear before the Court, and be heard in regard to sanction being given to the Resolution.

which has been passed. The Committee recommended that those two conditions should be imposed in cases of alterations being made. The first is that where the alteration has reference to the object of the Memorandum of Association, the new object shall be "cognate" or "ancillary" to the present objects of the company; and the second recommendation is that the application for the proposed alteration shall be based upon circumstances which have arisen since the registration of the company. In the main, this Bill carries out the recommendations of the Committee. You will find in the 1st clause a power given to the company to pass a special Resolution for altering the provisions of its Memorandum of Association. Before that alteration can take effect, the consent of the High Court in England and Ireland, and in Scotland of the Court of Session must be obtained; and before that consent can be given it is necessary that the Court shall be satisfied, in the words of the clause, that the new or extended objects are cognate or ancillary to the objects, or some of the objects, of the company as expressed in its Memorandum of Association. I think the provision will commend itself to your Lordships that the alteration shall be for kindred objects only; and so careful have the framers of the Bill been to accept the recommendations of the Committee that they have taken them exactly in the words in which the Committee gave them. My Lords, I should be perfectly willing that the words of this section should be carefully scrutinised in Committee, and I should hope that the noble Lord opposite, who was Chairman of that Committee (Lord Herschell), will be able to guide us as to whether the proviso as to the extension of powers being for "cognate" or "ancillary" objects is sufficiently legal phraseology to be adopted in the Bill and passed into an Act without some words of limitation or explanation ensuing upon them. But as the Committee was a joint one of both Houses of Parliament, the object has been to adhere as strictly as possible to the language of the recommendations of that Committee; and in the form in which I now present it to your Lordships it has passed the other House of Parliament after careful scrutiny in the Grand Committee. Then, my Lords, the other provisions in the Bill are that

*Lord Balfour of Burleigh*

sufficient notice shall be given to every holder of Debentures and to every creditor that changes are proposed, and that they shall have the right to appear and object before the Court. The recommendation of the Committee that the application shall be based on circumstances which have arisen since the registration of the company was placed in the Bill when it was before the other House of Parliament, but was deleted in its passage through that House because it was thought that the expression was too vague to be a real safeguard, and that, on the whole, it was better that it should not be made permanently the law. There is one other clause in the Bill upon which I think it necessary to say a few words, and that is the 2nd clause as to giving certain powers. That is a clause which was introduced into the Bill in the other House of Parliament, and the object, as I understand it, is to supply power to make new alterations in a Memorandum of Association, which would remain impossible after the passing of this Bill if that power were not given. I venture to think it is right that the power which is given in this clause should be given, though not perhaps exactly in the words in which it now stands. The clause has not been framed by the Board of Trade; it was inserted, as I have said, in the other House of Parliament, and I think the wording of it will require to be somewhat carefully examined in Grand Committee of this House if your Lordships are willing to give the Bill a Second Reading and to refer it to the Committee. I think one change which may be required in it may be that the alterations dealt with in the 2nd schedule should, like the other alterations, be made only with the sanction of the Court, and after full opportunity has been given to those interested of being heard. I think in that or in some other way that section may be amended so as to bring it into harmony with the other provisions of the Bill. I do not know that any other point requires discussion at this stage. If your Lordships will give the Bill a Second Reading, I propose to refer it in the usual way to one of the Committees for consideration. As there are many Members of the House who are better qualified to judge of the legal aspects of the measure than I can hope to be, I trust they will

give it their attention. My Lords, I beg to move the Second Reading of the Bill.

LORD HERSCHELL: My Lords, with regard to the main object of this Bill, I have only to add a few words upon one point with regard to what the noble Lord who has moved the Second Reading has said, that it carries out the recommendations of the Joint Committee of last Session with an exception which I have no objection to. It has, indeed, been suggested by many of those who are in favour of the objects of this Bill that it might be desirable to give an alternative for the procedure under the Bill, and that there are many cases in which the Board of Trade might very well deal with the matter instead of its being left to the Court; that the application to the Court involves considerable expense and delay, and, therefore, that you might give an alternative power of applying to the Board of Trade unless they thought it was a case which ought to be referred to the Court. I think that is a suggestion worthy of consideration; but, of course, it would be an important change which, as it has only been recently suggested, I am not at present prepared to advocate. Still, I think it worthy of consideration. The only other clause to which I need refer is that which the noble Lord opposite has mentioned. I do not think those who framed the Bill can fully have foreseen all the results which will flow from it, because, as it is worded, it would give an interested majority of the shareholders power to prefer themselves by a special resolution, because they might be able to carry the requisite number with them, both as regards the payment of dividends and the repayment of capital. For example, as far as I can see, supposing you had Preference shares and Ordinary shares in a company, and the Ordinary shareholders could obtain a majority of three-fourths, which would not be an impossible case, they might give themselves a preference over the Preferred shareholders, because the Bill provides that any company may, by special resolution, affix preference in payment of dividends to any of its shares. Of course, that could not have been intended, and it is obvious that that clause will need some limitation. I am not sure that I quite

understand the exact class of cases which it is intended to provide for. Perhaps, if I understood that more fully, it would be easier to suggest the necessary qualification; but as the clause at present stands, its scope, I think, is wider than can have been intended by those who introduced it into the measure.

\*THE EARL OF MORLEY: I am extremely glad that Her Majesty's Government have been able to introduce this Bill. I think the object in view is a very desirable one, and the Bill will relieve Parliament from the necessity of passing extremely anomalous and inconvenient Bills. As the noble Lord who moved the Bill has informed your Lordships under the present law with regard to companies, their memoranda are unalterable, except in certain defined cases, and the only way in which a Limited Company, not a Parliamentary Company, has of doing so, is by a private Bill introduced into Parliament. The inconvenience of that has been felt for many years, and I think the House will agree that it is extremely undesirable that Parliament should interfere, except where absolutely necessary, with regard to Public Companies, which are not Parliamentary Companies. The whole jurisdiction over Joint Stock Companies is with the Courts of Law, and not with Parliament; and I am extremely glad that Her Majesty's Government have introduced a Bill which will extend that jurisdiction under certain well-defined conditions to the alteration of Memoranda of Association of such companies. I am also glad to find that the noble Lord who moved the Second Reading of the Bill and the noble and learned Lord behind me have called attention to Clause 2 of the Bill. I think the clause as it at present stands would be extremely dangerous, to say the least of it; and I hope it will be thoroughly considered in Committee before any such power is given to companies. At any rate, I would suggest that such power should not be given as to capital or shares at present issued. It might be possible, as in railway legislation, that power should be given to divide capital into Preferential and Deferred when a certain amount of it has been paid up; but that is a matter for the consideration of the House in Committee. I would also suggest, for



the noble Lord's consideration, whether it might not be possible to, in some directions, extend the scope of this Bill, and under the same restrictions as are imposed where a Memorandum of Association is to be altered; whether it would not be well to give power to amalgamate companies. Occasionally Private Bills are introduced for this purpose, and I think it might be well here to give powers to do that in the High Court. There are one or two other small matters for comment, but they are rather for Committee than for the House; but the Bill itself, as the noble Lord has stated, is in strict accordance with the recommendations of the Joint Committee of last year, and I sincerely hope it will become law during the present Session.

\***LORD BRAMWELL:** I am not going to say a word against the intention of this Bill, but I desire to make one or two remarks upon it. It is a strong measure that when a man enters into a particular business he should be made a partner in another. A man enters into partnership with a number of people, the form of the partnership being a Limited Liability Company. That partnership is for the purpose of carrying on a particular business, and the proposal of this Bill is that power shall be given to make him a partner in a different concern, that is to say, in the old business that he had agreed to join, with such addition to it as the majority of the shareholders may desire, and which the Court may think reasonable. Now I cannot help thinking that is really rather a strong measure. A man is to be made against his consent a partner in a business which he may dislike very much, which may be opposed to his own particular interests, and which may possibly go against his conscience, for it may be that the additional business is the sale of intoxicating liquors, or what not, which he may object to. Now I do think, whatever may be his reason for objecting, that a man should be enabled to get out of the new partnership; he should not be compelled to be a partner in a business which he had rather have nothing to do with. It is true that the Court has power to grant it in such terms as may be thought fit; but the Court, for anything I know, might not accede to this

*The Earl of Morley*

sort of objection which I am now taking: that would be wrong, and we should not give the Court the power of doing wrong. Your Lordships may think it a reasonable thing that a man should be at liberty to get out of the new business, and perhaps the noble Lord who has charge of this Bill will take that into his consideration. It may be said he can get out because he can sell his shares. But perhaps he cannot sell, because there may be no market for them, or they may be worth less than nothing, I think there should be some provision made by which a dissentient partner should be at liberty to retire from the firm. That is one matter which I wish to suggest for the noble Lord's consideration. The other matter is this: I do not find any procedure laid down in the Bill for making application to the Court. I do not see what step is to be taken for that purpose, whether any summons is to be issued, whether any notices are to be served, or whether there is to be any advertisement. Perhaps the noble Lord will think it right that there should be some arrangement made about that matter also. I have only one word more to say, my Lords, and that is that I entirely concur in the criticism which has been passed by everybody upon Clause 2. It is impossible in reason that it can stand as it does.

Bill read 2<sup>a</sup> (according to order).

\***LORD BALFOUR OF BURLEIGH:** In moving that the Bill be referred to the Committee on General Bills I should like to explain, with the view of endeavouring to meet what has been suggested at this stage, that I have entered into communications with the noble Lords who are Chairmen of Committees, and it has been explained to me that the Committee on Law has four or five Bills before it, while the Committee on General Bills has scarcely any, and that, after all, this matter is in great part of a general nature, as well as partaking of the nature of a legal measure. If it is thought that the Committee on General Bills is not strong enough in legal talent, I would venture to suggest that one or two of the legal Members of the House should be added to that Committee, rather than that all the Bills of a legal nature should be concentrated in the Committee on Law,

which would cause an amount of delay and the inconvenience which the other course would prevent.

**LORD HERSCHELL:** I quite agree with the noble Lord as to this Bill being one upon which legal opinion may well be brought to bear; but the fact is, that that may be said of so many Bills that it is difficult to discriminate between those that must go to the Law Committee and those that may go to the Committee on General Bills. We should endeavour, as far as possible, I think, to distribute the work of the House between the two Committees, and to avoid throwing it all upon one. This, after all, is really a matter of trade, and the legal opinion is only wanted to assist in putting it in proper form. I think the difficulty might be got over by adding some of the legal Members of the House to the Committee on General Bills for the purpose of this Bill being considered there, the General Committee having certainly more leisure at present than the Law Committee.

Bill committed to the Standing Committee for General Bills.

#### SALE OF PICTURES BY LANDSEER.

**\*THE EARL OF WEMYSS:** Before your Lordships adjourn, I desire to mention an urgent matter of which I was unable to give notice. I wish to draw the attention of the noble Marquess the Prime Minister to a sale of pictures and objects of art which commences on Saturday next. Among those works of art are some pictures or studies of game, live and dead, and of other animals by Sir Edwin Landseer. They were done when he was at his best, some 40 years ago, when he was a great friend of, and lived so much with, Mr. Wells of that period. I venture to say, my Lords, that these works are unequalled in their beauty; there has been nothing like them at any former time, and I do not think there will be anything superior to them at any time to come. They have all the minuteness and accuracy of photographs, but having infused into the photography the living genius of that great artist. The coloring is seen as through his poetical eye—the coloring of nature. My Lords, I do not propose to discourse on the merits of Sir Edwin Landseer;

but I will only say that in 1885, when I had the honour of being sent to the Paris International Exhibition as one of the British Jurors, the gold medal was on that occasion unanimously given to Sir Edwin Landseer as representing the highest form, as the judges considered, of British art. I think it would be a thousand pities if these pictures should not be purchased for the British nation. They are 18 in number, and it might not be thought necessary to buy them all perhaps. The pictures in the National Gallery consist, at present, of what are called the "Old Masters." It is, perhaps, rash of me to give an opinion; but having seen many of the great Picture Galleries of Europe, I believe that the collection of Old Masters in the National Gallery of Great Britain is already the finest anywhere. I think we might now very well stop purchasing Old Masters, and that when the occasion arises we might endeavour to add what is so much wanting in our National Collection, examples of the British School of past art. I venture to think this is so favourable an opportunity for doing so that I would call the attention of the Prime Minister to that matter; and I am perfectly certain, from what I have heard stated of these pictures, that their purchase would give immense satisfaction to all who are interested in art in this country. I would urge any of your Lordships who may be able to take the opportunity presented to you before the sale to go and see these beautiful works of Landseer, which are now being exhibited with other objects of art.

**THE MARQUESS OF SALISBURY:** This is rather an unusual subject of deliberation for your Lordships. My noble Friend only gave me an intimation of his intention to bring forward this matter as I entered the House. I have not, therefore, been able to obtain from the Chancellor of the Exchequer any statement as to those considerations of a more vulgar and prosaic character which, unfortunately, must be taken into account in deciding upon this question. I will, however, bring the matter before my right hon. Friend, and the Government will form such decision as the circumstances seem to direct. But I hope the effect of my noble Friend's passionate and striking eulogy, uttered in the presence of several

people who are quite competent to buy these pictures themselves, will be to ensure a large attendance at the sale for the purchase of all the pictures for the purpose of being presented to the nation.

#### BILLS OF SALES BILL.—(No. 51.)

House in Committee (on Re-commitment) (according to order); Bill reported without amendment; and to be read 3<sup>a</sup> To-morrow.

House adjourned at twenty minutes before Six o'clock, till To-morrow, a quarter past Ten o'clock.

### HOUSE OF COMMONS,

*Thursday, 8th May, 1890.*

#### BANKRUPTCY RECEIVING ORDERS.

Return ordered—

"Showing the number of Receiving Orders in the High Court during the three months ended the 31st day of December, 1889, and in 12 County Courts during the six months ended the 31st day of December, 1889, the total number of Creditors appearing in the Debtors' statements of Affairs at various amounts, and the Amount of Liabilities."—(*Mr. Chamberlain.*)

#### MERCHANT SHIPPING (TONNAGE.)

Return ordered—

"Showing in detail how the present gross measurements of the Steamships *Anglesey* and *Duchess of Sutherland* have been arrived at, and the deductions and allowances by which these gross measurements have been brought down to net registers of 143 tons and 180 tons respectively, under the provisions of 'The Merchant Shipping (Tonnage) Act, 1889.'"—(*Mr. T. W. Russell.*)

#### PUBLIC INCOME AND EXPENDITURE.

Return ordered—

"Of Public Income and Expenditure for the year ending the 31st day of March, 1890, in continuation of Parliamentary Paper No. 305, of Session 1889."—(*Mr. Henry H. Fowler.*)

#### INCOME TAX ASSESSMENTS.

Return ordered—

"Of the number of Assessments to the Income Tax for the year ending the 5th day of April, 1889 (in the same Classes and up the same Amounts as stated in, and in continuation of, Parliamentary Paper, No. 234, of Session 1885)."—(*Mr. Henry H. Fowler.*)

*The Marquess of Salisbury*

### QUESTIONS.

#### THE MACCLESFIELD SAVINGS BANK.

**MR. J. E. ELLIS** (Nottingham, Rushcliffe): I beg to ask the Chancellor of the Exchequer what decision has been arrived at by the Lord Chancellor as to the retention in the Commission of the Peace of the names of Mr. P. J. Eaton and Mr. Thomas Stringer, after the remarks of the Commissioner appointed to inquire into the affairs of the Macclesfield Trustee Savings Bank, in his Report to the Treasury, pages xxxv. and xxxviii.?

**\*THE CHANCELLOR OF THE EXCHEQUER** (Mr. Goschen, St. George's, Hanover Square): The Lord Chancellor has had the evidence taken by the Commissioners under his consideration. In neither instance does it disclose any misconduct in the office of Justice of the Peace; and the Lord Chancellor is not satisfied that it establishes such a case as would justify the extreme measure of removing the names of these gentlemen from the Commission of the Peace.

#### POSTAGE RATES TO INDIA AND THE COLONIES.

**MR. SUMMERS** (Huddersfield): I beg to ask the Postmaster General what would be the estimated additional loss to the Revenue of the reduction of the postage rates to India and the British Colonies from 5d. and 6d. to 1d. instead of 2½d., as proposed by him?

**\*THE POSTMASTER GENERAL** (Mr. RAIKES, University of Cambridge): The loss to the Imperial Revenue by reducing the postage of letters to India and the Colonies to 1d. instead of 2½d., as proposed, is estimated at £180,000 a year; and that loss, I may add, would be in addition to the loss which is at present sustained by the expenditure on Ocean Mail Services being very largely in excess of the postage rates charged to the public.

**\*MR. CHILDERS** (Edinburgh, S.): Does the right hon. Gentleman include in that £180,000 a year the loss on carrying letters to Canada?

**\*MR. RAIKES**: Yes; the Estimate covers the whole of the colonies.

MR. SHAW LEFEVRE (Bradford, Central): Does the right hon. Gentleman take into account any possible extension of the number of letters?

\*MR. RAIKES: I cannot answer that question.

\*MR. CHILDERS: Can the right hon. Gentleman give a Return showing how the reduction to 1d. would affect the different colonies and dependencies?

\*MR. RAIKES: All I can say is that the sum I have given would cover the estimated loss, including all the colonies.

MR. SUMMERS: Is the £180,000 in addition to the loss now sustained in connection with the Postal Service?

\*MR. RAIKES: It is estimated that the present loss upon the Colonial Postal Service amounts to £254,000 a year, or rather more than £250,000, and the reduction to 1d. would increase that loss by £180,000 a year more.

#### THE MAHARANI OF REWAH.

MR. BRADLAUGH (Northampton): I beg to ask the Under Secretary of State for India whether the Secretary of State has yet received the Memorial of H.H. the Barhi Chandalin, Maharani of Rewah, and if he can state its prayer; whether any reply has been sent thereto, and to what effect; and whether he will lay the Papers relating thereto upon the Table of this House?

\*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): No, Sir; no Memorial from the Maharani of Rewah has been transmitted from the Government of India to the Secretary of State.

MR. BRADLAUGH: Is the right hon. Gentleman aware that a Memorial, dated 23rd January, 1890, has been reported by the Government of India as having been received by them?

\*SIR J. GORST: Yes, Sir; I told the hon. Gentleman that about two months ago.

MR. BRADLAUGH: I beg to give notice that, in consequence of the answer of the Under Secretary of State, unless this Memorial, a copy of which I hold in my hand, comes very soon to the Secretary of State, I shall avail myself of the opportunity of bringing the matter before the House.

#### LORD REAY.

MR. BAUMANN (Camberwell, Peckham): I beg to ask the Under Secretary of State for India whether the attention of the Secretary of State has been called to the following statement which appeared in the *Times* of the 21st April:—

"On Lord Reay's departure from Bombay, at the moment of embarkation, the Municipal Council presented a farewell address. His Lordship, in replying, said that during his five years period of office his object had been to carry out strictly the principle of Her Majesty's Proclamation, which was the Magna Charta of the humblest labourer no less than the noblest Chief in the land, and that when what he considered a grave departure from those principles was ordered from England he at once tendered his resignation;"

and whether Lord Reay did, in fact, tender his resignation; and, if so, why such resignation was not accepted?

\*SIR J. GORST: The Secretary of State has seen the statement in the *Times*, but cannot believe that Lord Reay's speech has been accurately reported, as Lord Reay, whatever may have been his intentions, did not, in fact, tender his resignation.

MR. BRADLAUGH: Has not a Despatch reached the Secretary of State in connection with Lord Reay's action concerning the Mamlatdars; and, if so, why has it not been included in the Papers laid before the House?

\*SIR J. GORST: No, Sir; no Despatch which could be construed into a tender of resignation on the part of Lord Reay has reached the Secretary of State.

#### DUTY ON AERATED WATERS.

MR. WATT (Glasgow, Camlachie): I beg to ask the Chancellor of the Exchequer whether he will consider the advisability of imposing a duty of 6d. per dozen upon lemonade, soda, and other aerated waters containing a per-centage of alcohol, which it is estimated would produce a return of not less than £1,000,000 sterling per annum?

\*MR. GOSCHEN: I think the hon. Member, since he originally put this question, has added the words "containing a per-centage of alcohol." Very few of these beverages, if any, contain a per-centage of alcohol, and I am at a loss to discover any calculation by which

they could reach the sum of £1,000,000 sterling. I do not see my way to impose a tax on aerated waters.

#### THE ORDNANCE SURVEY.

MR. FRASER-MACKINTOSH (Invernessshire): I beg to ask the President of the Board of Agriculture whether the graduated increase of pay formerly enjoyed by the men employed on the Ordnance Survey was suddenly stopped about three years ago by a new scheme of the Director General; whether this scheme has never been made known to those primarily interested; whether the scheme has been sanctioned by the Treasury; and whether he will lay a Copy upon the Table of the House?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The pay of civil assistants and temporary civil assistants on the Ordnance Survey is regulated by the Minute affecting the pay and promotion of the civil members of the establishment of the Topographical Survey, which was presented to Parliament on July 2, 1872, and by subsequent Treasury Orders. The graduated increase of pay formerly enjoyed by the men employed on the Ordnance Survey, I am informed, was not suddenly stopped about three years ago by a new scheme. No new scheme of pay has been introduced. The system of the Ordnance Survey Department is, and always has been, to give increased pay for increased efficiency combined with length of service. The question apparently alludes to a confidential Circular which was issued in 1888, with a view to securing greater uniformity in the practice of division officers in the field and at headquarters with regard to recommendations for increases of pay. As this Circular made no alteration in the system of pay approved by the Treasury and the Office of Works it was not necessary to submit it for the sanction of the Treasury. I am afraid that I cannot lay a copy of a confidential Departmental Circular on the Table of the House. It would be quite unusual to do so.

MR. T. M. HEALY: Is the Irish Department of the Ordnance Survey also under the control of the right hon. Gentleman?

MR. CHAPLIN: Yes, Sir.

*Mr. Goschen*

#### RAILWAY ACCIDENT AT CARLISLE.

MR. RANDELL (Glamorgan, Gower): I beg to ask the President of the Board of Trade whether the train which met with the accident at Carlisle on the 3rd March last, was worked on the trip or contract system of working passengers and goods trains; and whether he will grant facilities to inquire into that system of working trains on those railways where it has been adopted?

\*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I have been informed by the Company that the train which met with the accident was worked on the trip system, and they explain that under this system 150 miles travelled with an express train entitles both driver and fireman to a day's pay. This distance was covered by the train in question in about 3½ hours. I am informed that the system has been in use for 25 years and found to work well. I do not see any sufficient reason for directing any inquiry.

#### DOCK AT GIBRALTAR AND BOMBAY.

ADMIRAL MAYNE (Pembroke and Haverfordwest): I beg to ask the First Lord of the Admiralty whether he can state what progress is being made in the arrangements for the construction of the dry docks at Gibraltar and Bombay?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): A small Committee are now considering various questions in connection with the construction of a dock at Gibraltar, and I hope that before the close of the financial year the work may be in hand. The question of the construction of a dock at Bombay out of Imperial funds has been postponed for the present, owing to the extraordinary demands upon the Exchequer in respect of other works of urgent importance. I am, however, glad to add that a dock is in course of construction by the Port Trust, which will be 500ft. in length and capable of accommodating any but the largest ironclads.

ADMIRAL MAYNE: I beg to give notice that when the Admiralty Vote comes on I will raise the question whether or not the Admiralty is responsible for providing adequate dock accommodation.

## THE CIVIL SERVICE.

MR. WILLIAM M'ARTHUR (Cornwall, Mid, St. Austell) : I beg to ask the Chancellor of the Exchequer whether the revision of the Upper Grade, throughout the whole of the Civil Service, in accordance with the recommendation of the Royal Commission is under the consideration of the Government ; whether four vacancies in the War Office, two arising from death, one from retirement, and one from the recent promotion of Mr. Englebach to a Commissionership of Customs, have lately been filled up ; whether, previous to the transfer of Mr. Englebach to the Customs, a decision had been arrived at that his post at the War Office should be abolished, and whether in fact it has been abolished ; whether four vacancies in the Statistical Department of the Customs have occurred since January 1888, two arising from deaths and two from retirement, and are not yet filled up, whereby all promotion in the Office has been stopped for over two years ; and what reason there is that the clerks in one Department should receive different treatment from those in another Department of the Service, before a definite decision on the question of revision has been arrived at ?

\*MR. GOSCHEN : The Treasury, in their Minute of August 10 last, laid down the principles upon which they proposed to apply the recommendations of the Royal Commission with regard to the upper establishment of the Civil Service, and they are acting on those principles now. The establishment of the War Office is under the Secretary of State, and the question of the hon. Gentleman should be addressed to the Secretary of State. Four vacancies have taken place in the Statistical Department of the Customs since January, 1888. A Departmental Committee reported in favour of reduction of the number of clerks on the upper establishment in that Department, and that recommendation tallied with the general recommendation of the Royal Commission in favour of reduction in the numbers of the upper establishment in the Service. The constitution of the Statistical Department is under the consideration of the Treasury and the Board of Customs ; but if reductions of establishment are to be carried out there must undoubtedly be some stoppage in pro-

motions. I am not aware that there is any difference in the treatment of clerks in different Departments ; neither should I be able to accept the natural deduction from the hon. Member's question, namely, that clerks in a Public Office have a vested right to promotion, although reductions in that Office may be under consideration.

## COURT MARTIALS.

MR. T. M. HEALY : I had intended to ask the Judge Advocate General whether it is legal and in accordance with the Army Regulations and Rules of Procedure for a non-commissioned officer to be tried by a district court martial, without having been remanded, but I will postpone the question until tomorrow.

## EGYPT.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) : I beg to ask the Under Secretary of State for Foreign Affairs whether it is true that Her Majesty's Government have made proposals involving the committal of this country to a permanent Protectorate of Egypt in the shape of a Convention, giving the British Government the exclusive right to interfere in the event of internal or external danger ; and, if so, whether Parliament will be consulted before such a duty is undertaken ?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.) : Her Majesty's Government have made no proposals for a Convention.

## SARAWAK.

SIR GEORGE CAMPBELL : I beg to ask the Under Secretary of State for Foreign Affairs if he has any information that Rajah Brooke, of Sarawak, has on his own authority annexed a large new territory ; whether Her Majesty's Government were cognisant of such annexation, or have approved of it ; and whether British subjects are allowed to make such annexations when they can ?

\*SIR J. FERGUSSON : Her Majesty's Government have as yet only imperfect information with respect to the transaction in question ; but they have good ground for believing that the annexation of Limbang to Sarawak is in entire accordance with the wishes of the people of the country. British subjects generally

cannot seize and hold territory. The sovereignty of Rajah Brooke in Sarawak has long been recognised.

In reply to a further question by Sir G. CAMPBELL,

\*SIR J. FERGUSSON said: The annexation has been made subject to the approval of Her Majesty's Government.

#### THE GUARDS BIRTHDAY PARADE.

MR. BARTLEY: I beg to ask the Financial Secretary for War what arrangements, if any, have been made to enable Members of the House to witness the Birthday Parade of the Brigade of Guards on the 21st inst.?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): By the courtesy of the Officer in Brigade Waiting Mr. Speaker has received 500 tickets for the use of Members of this House to witness the trooping of the colours by the Brigade of Guards on the 21st inst., and arrangements will be made for allotting them according to the number of Members who express a wish to be present.

#### THE SCOTCH CENSUS.

MR. ANGUS SUTHERLAND (Sutherlandshire): I beg to ask the Lord Advocate whether the attention of the Secretary for Scotland has been called to the desirability, in taking the Census of the Gaelic-speaking population, of having two columns on the subject in the Schedule issued to householders; (1) for the enumeration of such as can speak Gaelic only; and (2) for the enumeration of such as can speak both English and Gaelic; and whether this will be kept in view in drawing up the Schedule referred to?

\*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The attention of the Secretary for Scotland has already been called to the subject of the hon. Member's question, and the matter is under consideration.

#### PEMBROKE DOCK.

MR. PHILIPPS (Lanark, Mid): I beg to ask the First Lord of the Admiralty whether it is the case that till June, 1888, the hired men under the Works Department at Pembroke Dock used to work the same hours as the hired men in the Chief Constructor's Department, but

*Sir J. Fergusson*

that, since that date, the men employed in the Works Department have been forced to work six hours a week longer than the others; and whether any extra pay has been given for the extra time so worked?

LORD G. HAMILTON: Yes, Sir. Prior to 1888 the hired men employed under the Works Department at the other Dockyards and Naval Establishments worked for longer hours than at Pembroke, and it was considered right that the hours of the Works Department should be made the same at all the yards. No extra pay was allowed in consequence of this change, men of the Works Department being supposed to work not according to dockyard hours, but the hours usually required by contractors employing the same class of labour.

#### ON-LICENCES.

MR. ROWNTREE (Scarborough): I beg to ask the Chancellor of the Exchequer if the Government will furnish the House with particulars of the amounts received by the Commissioners of Inland Revenue in the last financial year in the various counties and boroughs in respect of on-licences in such counties and boroughs, or an approximate estimate of such amounts?

\*MR. GOSCHEN: I am told that the information cannot be supplied before the end of the month.

#### TELEGRAPHIC CONVENTION WITH CHINA.

SIR JOHN LUBBOCK (University of London): I beg to ask the Under Secretary of State for Foreign Affairs whether he is aware that a Telegraphic Convention between the Chinese Government and certain British and Foreign Telegraph Companies has lately been signed, and whether the ratification by the British Government is sought by the interested parties; whether this Convention would fix the charge for telegraphic communication to China for a long period of years, so as to preclude competition with existing cables and land lines during that time; and whether Her Majesty's Government will lay the proposed Convention (terms of which are known in this country, but which have so far been kept secret) upon the Table of the House before its ratification?

\*SIR J. FERGUSSON: The arrangement between the Chinese Government, the Northern Telegraph Company, which uses the Russian overland line, and the Eastern Extension Telegraph Company was signed on August 10, 1887, and purposed to provide for a fixed rate on through messages from Europe to China, by whatever route transmitted, until 1903. The Convention leaves it open to the parties concerned to reduce the rates, and does not preclude the laying of additional cables by other persons. It was, however, made subject to approval by the British and Russian Governments, and Her Majesty's Government have not given their consent to it. Negotiations were lately in progress for its modification, but these have now been suspended, and the whole matter is for the present in abeyance. The consent of Her Majesty's Government will not be given to any such agreement without full consideration of all the interests involved and consultation with the Representatives of British commerce, but no pledge can be given as to preliminary presentation of the agreement to Parliament.

#### THE EASTERN SOUDAN.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for Foreign Affairs what is the present position of affairs in the Eastern Soudan, and in particular whether the famine is still raging there; and whether Her Majesty's Government see any hopes of effecting a pacification of the country which may prevent the recurrence of hostilities near Suakin, and lead to the re-opening of the trade route from Suakin to Berber?

\*SIR J. FERGUSSON: The latest Reports show that there is still much insecurity in the Eastern Soudan. The scarcity at the principal places has weakened the Dervish forces. Extreme distress is said to exist at Kassala. There are Dervish detachments still at Tokar and Handoub who control the districts adjoining and make occasional raids. Measures of relief will probably be necessary for the destitute people about Suakin for several months longer, but not to the same extent as at first. Work is given to those able to do it; the sick are treated in hospital; there have been many deaths. The Soudan Trading Company have made preliminary agreements with Native Chiefs for the cultivation of

cotton and with a view to open the trade route to Berber; but it is too early yet to judge what the result is likely to be.

#### THE EGYPTIAN CONVERSION SCHEME.

MR. WOOTTON ISAACSON (Tower Hamlets, Stepney): I beg to ask the Under Secretary of State for Foreign Affairs whether he will lay upon the Table of the House the Despatches from the French and Egyptian Governments relating to the Conversion Scheme; and whether any financial house will be employed to issue the new bonds, and at what rate of commission?

\*SIR J. FERGUSSON: It would be premature to lay Papers while the negotiations are still proceeding. The conversion, if effected, will be carried out by the Egyptian Government, and not by Her Majesty's Government, who are not responsible for the details of the measure. Her Majesty's Government have no information as to the arrangement for the issue of new bonds which the Egyptian Government may propose to make.

#### NEWFOUNDLAND FISHERIES.

SIR GEORGE CAMPBELL: I beg to ask the Under Secretary of State for Foreign Affairs if the Representatives of Newfoundland have come to discuss the Fishery Question; if he has observed that Delegates have gone to Ottawa to try to enlist the aid of the Canadian Government; and if delay is occurring in consequence of Newfoundland appealing to Canada before sending Representatives to this country?

\*SIR J. FERGUSSON: The Representatives of the Newfoundland Government have not yet started for this country, and will probably not do so until after the close of the Colonial Legislature, some time in the course of this month. No delay is occurring in consequence of other Delegates having gone to Ottawa.

#### SCOTCH LICENCES.

MR. JOHN WILSON (Lanark, Govan): I beg to ask the Lord Advocate if he is aware that, in Scotland, the authorities in granting licences do not confer any vested interest either in the property or in the individual upon whom the privilege of a licence is bestowed; and whether, under these circumstances, he will con-



sider the advisability of excluding Scotland from the operation of the Compensation Clauses of the Local Taxation (Customs and Excise) Duties Bill?

\*MR. J. P. B. ROBERTSON: In Scotland a vested right to trade in Exciseable liquor is conferred on the licensee; and that right may be renewed unless the Magistrates see cause to the contrary. There is nothing in the Scotch Licensing Laws which renders inapplicable to Scotland proposals for effecting on pecuniary terms the surrender of licences which are current and may be renewed; and it is manifest that these proposals are mis-described in the question as Compensation Clauses.

MR. J. WILSON: Does not the right hon. Gentleman know that the licence is for one year only, and that each year there must be a new application and a new grant by the Magistrates?

\*MR. J. P. B. ROBERTSON: I stated that a vested right to trade is conferred on the licensee, and I added that it might be renewed unless the Magistrates saw cause to the contrary.

#### NON-PAUPER SCHOOL FEES.

MR. LLEWELLYN (Somerset, N.): I beg to ask the Vice President of the Committee of Council on Education whether Her Majesty's Government are prepared to give facilities for the passing of the Non-Pauper School Fees Bill, or whether, considering their recent declarations with regard to assisted education, they are willing to give an assurance that some change in the present system of paying these fees shall be made at an early date?

\*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): Her Majesty's Government are in complete sympathy with the objects of the Bill to which my hon. Friend refers; but looking to the fact that any measure of assisted education must include all such cases as would come within the scope of his Bill, I hope that my hon. Friend will be satisfied with the knowledge that the Government are pledged to deal with the whole subject next year.

#### PRESS TELEGRAMS—CROYDON POST OFFICE.

MR. LABOUCHERE: I beg to ask the Postmaster General whether he is  
*Mr. John Wilson*

aware that the regulation permitting a district post office to refuse to accept a Press telegram, unless, 24 hours' previous notice of the intention to telegraph has been given, is habitually enforced at the Croydon Post Office, and notably on last Wednesday week, although there is generally a full force of operators there; and whether he will give directions that such telegrams shall, whenever it is possible, be sent, as it is frequently impossible to give the notice?

\*MR. RAIKES: The Rule of the Department requires that—

"Postmasters must not, under exceptional circumstances which preclude the possibility of previous notice being given, refuse to accept messages exceeding 200 words, provided that there is a probability of their being transmitted without delay."

This Rule has, I fear, been misinterpreted at the Post Office in Croydon, and I have now caused suitable instructions to be issued to the officials employed there.

#### POST OFFICE AT BOOTLE.

COLONEL SANDYS (Lancashire, S.W., Bootle): I beg to ask the Postmaster General whether there would be any objection to grant a separate General Post Office, distinct from the Liverpool Post Office, to the Borough County of Bootle, in Lancashire, which has 54,000 inhabitants at the present time and is increasing; such change of postal arrangements being desired by many persons residing there?

\*MR. RAIKES: A similar application for the establishment of a Head Post Office at Bootle was very carefully considered some years ago, and it was found that no advantage to the public in the way of postal or telegraph facilities would be afforded by the change, while it would involve additional expense, and would also be inconvenient as a Departmental arrangement. I will, however, inquire if there is any change in the circumstances since that time which would render it desirable to establish a Head Post Office at Bootle.

#### THE NEW CODE.

MR. LEWIS FRY (Bristol, N.): I beg to ask the Vice President of the Committee of Council on Education whether, under the New Code, there will be two species of instruction in drawing in elementary schools; (1) to satisfy Article

85 (b) of the Code, and not entitling to a special grant for drawing; and (2) the usual drawing course under the Science and Art Department; or whether it is the intention of the Department that the compulsory drawing under the New Code shall be the last-mentioned course in all cases; and, in either case, whether it is intended that all persons holding the teacher's certificate of the Education Department shall be considered eligible, irrespective of special drawing qualification, to teach and earn grants for drawing if the instruction in that subject be satisfactory?

\*SIR W. HART DYKE: The drawing course prescribed by the Minutes of the Science and Art Department will be the only one recognised as satisfying Article 85 (b) of the Code, but, as that Article will not come into operation until September, 1891, the Department will have time to consider what modification of the existing Minute may be necessary. So long as the instruction is satisfactory I am not disposed to insist, at any rate for some time to come, upon the possession of the (D) certificate as an essential qualification in a teacher of drawing.

#### WAR OFFICE CONTRACTS— EQUIPMENTS.

MR. HANBURY (Preston): I beg to ask the Financial Secretary for War why various firms have been allowed to tender for the supply of the Slade-Wallace equipment to the Army, but are not allowed to tender for its supply to the Volunteers except on payment of a royalty; whether it is the fact that large quantities of this equipment have been made for the Volunteers by Messrs. Ross; whether, in view of the intended employment of public funds for the equipment of the Volunteers, contractors who have been struck off the list of contractors to the War Office for bad work will still continue to be allowed to supply the Volunteers; and what are the terms as to royalty or other remuneration for the alleged invention on which the Slade-Wallace equipment is supplied to Her Majesty's Forces whether Regular or Volunteer?

MR. BRODRICK: Supplies for the Volunteers are purchased by the commanding officers and the War Office does not interfere, so that I do not know to what extent the Volunteers may have

employed Messrs. Ross. It has been publicly and frequently announced that Messrs. Ross are off our list, and they will not be accepted by the War Office as contractors for any supplies to be obtained for the Volunteers out of public funds. A patent is claimed for the Slade-Wallace equipment, and if such patent is valid, the Volunteers demanding it are, under the opinion of the Law Officers, not entitled to avail themselves of the Crown Clauses of the Patent Act. The question of royalties is at present under consideration, and I hope that the Volunteers will be included in any arrangement made.

MR. HANBURY: I beg to give notice that I will call attention to this subject on the Volunteer Vote.

#### THE EMIN PASHA RELIEF EXPEDITION.

MR. HANBURY: I beg to ask the Under Secretary of State for Foreign Affairs whether he will lay upon the Table of the House the Despatches from the French and German Governments which caused the Foreign Office to desire the Emin Relief Expedition to adopt the Congo route instead of that from the East Coast; and whether objections similar to those successfully raised by the German Government in that instance were raised by the Foreign Office before the expeditions of Major Wissman and Emin Pasha started for the interior?

\*SIR J. FERGUSSON: There are no such Despatches; but apprehensions were verbally expressed to Lord Iddesleigh that the approach of the Expedition might endanger the safety of the French and other Europeans at Uganda. The English missionary, Mr. Mackay, pointed out that the Report of the Thompson Expedition has caused the death of Bishop Hannington. No objections were raised by the German Government. No similar objections were raised in the cases referred to in the second paragraph, seeing that assurances were spontaneously given that the British sphere of influence would not be disturbed.

#### BRITISH EAST AFRICAN COMPANY.

MR. HANBURY: I beg to ask the Under Secretary of State for Foreign Affairs what information, if any, has reached the Foreign Office as to a Proclamation which the British East African Company is reported to have issued on

3rd May, refusing to recognise slavery within the sphere of that Company's influence?

\*SIR J. FERGUSSON: Her Majesty's Government have received as yet no information on this point.

#### CHATHAM CONVICT PRISON.

MR. JOHN O'CONNOR: I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to Section 13 of the Report of the Visitors of Chatham Convict Prison, where it is stated—

"It does seem to be a hardship that prisoners convicted of offences committed in the neighbourhood of their homes should, as is the case with some of the prisoners detained at Chatham for offences committed in Scotland, practically be deprived of visits which they would otherwise be entitled to receive;"

and whether, as it is also stated in the Report that

"The practice of sending prisoners convicted in Scotland to prisons in England has been discontinued,"

he will order the removal of such treason-felony prisoners as are now detained in Chatham Prison to some Scotch prison where they can receive their visits due?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. MATTHEWS, Birmingham, E.): I have seen the paragraph in question. I shall be very glad to transmit to Scotch prisons any prisoners convicted in Scotland and sent here under the old practice; and I will communicate with the Scotch Office on the subject.

#### PRACTICE FIRING ON THE ISLE OF WIGHT.

MR. ROE (Derby): I beg to postpone until to-morrow a question in my name, to ask the Secretary of State for War whether he is aware of the dangerous character of the practice firing on the Isle of Wight, a shot from Totland Bay having passed immediately over the tops of the funnels of the steamship *Brodrick Castle* (filled with passengers on her way from Bournemouth to Ventnor) and dropped into the sea within 300 yards of the boat whilst rounding, and within two miles of, the Needles, at about noon in bright and clear weather on Tuesday the 6th of May; and if he will give orders to prevent such firing in future as may be dangerous to passing ships?

*Mr. Hanbury*

#### THE LOCAL TAXATION BILL.

MR. STOREY: I beg to ask the President of the Local Government Board whether the Government have determined on any alteration of the policy regarding licences embodied in the Local Taxation Bill, with regard to which he stated that "the word compensation was inappropriately applied," since the President of the Board of Trade is reported to have announced at Bristol, that

"The compensation was to come either from the pockets of those who made and sold intoxicating liquors, or from the pockets of those who consumed them"?

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE, Tower Hamlets, St. George's): The Government have made no alteration in their policy.

MR. STOREY: Is that the policy of compensation?

\*MR. RITCHIE: There is a sense in which the word "compensation" may be used with regard to payment for value received, but the ordinary sense in which "compensation" is used is in respect of compulsory acquisition, and the proposals of the Government are purely voluntary and of no other character.

MR. SAMUEL EVANS (Glamorgan, Mid): I beg to ask the President of the Local Government Board whether, in the event of any County Council not desiring to expend the funds granted to them by the Local Taxation (Customs and Excise) Duties Bill in compensating the owners of licences, by paying money under the provisions of the measure for the extinction of licences, such County Council may use such funds for other public purposes?

\*MR. RITCHIE: It is not proposed that the funds to be placed at the disposal of County Councils for the purpose of the extinction of licences should be used for any other purpose.

MR. S. EVANS: Will the county lose the benefit of the fund entirely?

\*MR. RITCHIE: No, Sir, the money will stand to the credit of the county.

MR. H. H. FOWLER (Wolverhampton, E.): I beg to ask the President of the Local Government Board if he will lay upon the Table a Statement showing the local taxation licences collected in each administrative county and

county burgh for the year ending 31st March, 1890?

\***MR. RITCHIE**: I hope to be in a position to lay such a Statement upon the Table early in June.

#### THE POSTAL SERVICES.

**MR. SUMMERS**: I beg to ask the Postmaster General whether he can inform the House what is the net profit to the country of the Postal Services, and what proportion of this profit is due to the Home Postal Service and what to the Foreign and Colonial?

\***MR. RAIKES**: The net profit to the country upon the Post Office for the year 1888-89 was £3,039,874, as given in the Appendix Q, page 61, of the Postmaster General's Report, 1889. It cannot be stated precisely what proportion of this profit is due to the Home Postal Service and what to the Foreign and Colonial Services; but from a Return which I have before me I find that the estimated present Imperial loss on the Colonial Sea Services amounts to about £254,000 a year, and this loss is independent and apart from the loss on Foreign Mail Services, on which I have no precise information.

#### JOHN DALY.

**MR. T. M. HEALY**: I beg to ask the Secretary of State for the Home Department when an opportunity will be afforded of discussing the Report as to the treatment of John Daly and the other treason-felony prisoners in Chatham Prison; when will the English Prisons Vote be taken; can he now give his promised answer as to removing these prisoners from Chatham; what recommendations made by the Report have been acted on; and will the Scotch prisoners be re-transferred to a Scotch prison, so that their relatives may be able to visit them?

**MR. MATTHEWS**: A full opportunity for discussing this Report will arise on the English Prisons Vote, which will be taken in its order on the Estimates. The Visitors have not recommended the removal of the treason-felony prisoners, and I know of no reason why they should be removed. Chatham is the prison reserved for the class to which these prisoners belong, namely, those who are serving a first sentence. The

recommendations of the Report have all been attended to; some were already the practice of the prison. I have already stated that I will communicate with the Scotch Office, with a view to the transfer, not of Scotch prisoners, but of prisoners convicted in Scotland.

#### THE LUNACY ACT.

**MR. HOBHOUSE** (Somerset, E.): I beg to ask the Attorney General whether the Justices appointed under "The Lunacy Act, 1889," have jurisdiction to make orders under "The Lunacy Act, 1890," or whether it is necessary that they should be reappointed under the later Act?

**THE ATTORNEY GENERAL** (Sir R. WEBSTER, Isle of Wight): The Justices appointed under the Lunacy Act, 1889, have jurisdiction to make orders under the Lunacy Act, 1890; the jurisdiction established under the Act of 1889 was expressly preserved by Section 342 of the Consolidation Act. I understand that some doubts have been raised; and I think it very important that it should be clearly understood that Justices have the same jurisdiction under the existing Act as they had under the previous Statutes.

#### NATIONAL GALLERY—MR. TATE'S PICTURES.

**DR. FARQUHARSON** (Aberdeenshire, W.): I beg to ask the First Lord of the Treasury whether the Trustees of the National Gallery have accepted the fine collection of pictures offered to the Nation by Mr. Tate; whether any special conditions were attached to the offer, and whether increased accommodation will be provided so that this representative series of works by modern English painters shall be properly displayed; and whether there is any objection to laying the correspondence that has taken place on the subject upon the Table of the House?

\***THE FIRST LORD OF THE TREASURY** (Mr. W. H. SMITH, Strand, Westminster): I asked the hon. Member last week to postpone this question, hoping that I should be in a position to give him a more definite answer, but I regret that hope has not been realised; and as the correspondence on this subject is still going on, all I am able to say is that the Government trust to be able to make arrange-

ments by which it will be possible for the nation to avail themselves of Mr Tate's most generous offer.

#### HIGH SHERIFFS.

**MR. STANLEY LEIGHTON** (Shropshire, Oswestry): I beg to ask the First Lord of the Treasury if he can inform the House whether the Government intend to bring in a Bill to carry out the recommendations of the Select Committee of the House of Lords in favour of abolishing the present system of nominating High Sheriffs, and substituting therefor the appointment of a paid officer in each county?

**\*MR. W. H. SMITH:** The Committee of the House of Lords recommended that the High Sheriffs be appointed as hitherto, but that the necessary expenses of receiving the Judges should be paid by the Treasury and county conjointly. The Government do not expect themselves to be able to introduce a Bill on the subject this Session, but it is not unlikely that one will be introduced.

#### WESTMINSTER ABBEY COMMISSION.

**MR. CAVENDISH BENTINCK** (Whitehaven): I beg to ask the First Lord of the Treasury whether Her Majesty's Government will advise Her Majesty to appoint to serve on the Royal Commission on Westminster Abbey an architect who is not a member of the Royal Academy of Arts; and whether the Commission will have power to consider the expediency of removing or altering the sites of statues and monuments which have been erected in the Abbey?

**\*MR. W. H. SMITH:** The Government are not prepared to act on the suggestion of my right hon. Friend, as they are satisfied that the Royal Commission, as at present constituted, is perfectly competent to advise on the delicate and difficult questions submitted to them, which are by no means limited to architectural considerations. With regard to the second question of my right hon. Friend, I should hold that "the inquiry into the present state of the Abbey" must include the sites of existing statues and monuments, and that the Commissioners would not be precluded from making any suggestions with regard to them which they might deem expedient.

*Mr. W. H. Smith*

#### MARKET CORN RETURNS.

**MR. GRAY** (Essex, Maldon): I beg to ask the President of the Board of Trade if he can state the annual cost of collecting the Market Corn Returns?

**\*SIR M. HICKS BEACH:** Except a small charge for the salaries of Inspectors at London and Cambridge, and the rents of stalls in markets, the cost of collecting the Corn Returns is included in the salaries of the officers of the Inland Revenue; but the work represents so small a proportion of the duty of each officer that the charge for it cannot be estimated.

#### WEST AUSTRALIAN CONSTITUTION BILL.

**MR. JOHN MORLEY** (Newcastle-upon-Tyne): I beg to ask the First Lord of the Treasury whether, in view of the time during which the West Australian Delegates have already been detained in this country, he will name an early day for the next stage of the West Australian Constitution Bill?

**MR. WATT:** I also beg to ask the First Lord of the Treasury whether the Government are prepared to accept the Report of the Select Committee on the Western Australian Constitution Bill; and whether he can state when they propose to proceed with the Bill?

**\*MR. W. H. SMITH:** In answer to the question of the right hon. Member for Newcastle, and of the hon. Member for Glasgow, I have to say that we are anxious to proceed rapidly with the Western Australia Constitution Bill, but looking to the other business of a pressing character before the House, I am not able to name a day. In reply to the question whether Her Majesty's Government are prepared to accept the Report of the Select Committee, I have to state that we will not seek to re-introduce Clause 4, by which the Northern territory was reserved. We undertook that the question should be thoroughly threshed out by a Select Committee. A strong Committee was therefore appointed, and after hearing evidence it was agreed, without a Division, that the Clause should be omitted. As to Clause 8, which provides that any Bill imposing restrictions on emigration of British subjects must be reserved for signification of Her Majesty's pleasure, Her

Majesty's Government, looking to the fact that the omission of the clause was only carried in the Committee by a majority of two, think it would be well, in deference to a feeling which has been strongly expressed here, that this clause should be re-introduced. At the same time, they do not believe that the Colonial Legislature will seek to impose any restriction upon emigration from this country.

#### THE SWEATING SYSTEM.

MR. BAUMANN: I beg to ask the First Lord of the Treasury whether, in view of the fact that the Report of the Select Committee of the House of Lords on the Sweating System makes sundry recommendations for the alteration of the Law, which are contained in the Factory and Workshop Act Amendment Bill, now before the House, he will give facilities for the Second Reading of that Bill?

\*MR. W. H. SMITH: The Bill of the hon. Member contains clauses to which the Government could not assent, and which are not covered by the recommendations of the Sweating Committee, and I am not prepared, therefore, to promise facilities for the Bill. The question is one that the Government are quite prepared to deal with, and they hope that time may be found for the consideration of a measure during the present Session.

#### EDUCATION OF BLIND AND DEAF AND DUMB CHILDREN.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the First Lord of the Treasury when the promised Bills will be introduced on the subject of the Education of Blind and Deaf and Dumb Children?

\*MR. W. H. SMITH: A Bill on the subject of the Education of the Blind and Deaf and Dumb has been drafted by the Education Department, and is now under the consideration of other Departments which are concerned in the question. The Bill will shortly be introduced in another place.

MR. BUCHANAN: Will it apply to the United Kingdom?

\*MR. W. H. SMITH: Yes.

#### THE EDUCATION CODE.

MR. ESSLEMONT (Aberdeen, E.): May I ask when the Education Code will come on for discussion?

SIR W. HART DYKE: The Education Code has been laid on the Table for some time, and I hope, in the course of a few days, to be able to name a day for its discussion.

#### IRISH DISPENSARY MEDICAL OFFICERS.

DR. TANNER (Cork Co., Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether Irish Dispensary Medical Officers are required to reside in their Dispensary Districts, and if so, why Mr. J. M. Ambrose, M.R.C.S.E., Dispensary Medical Officer to the Ardagh District, in the Newcastle West Union, is not compelled to comply with the Rule; and whether any complaints have been made to the Local Government Board with respect to the inconvenience experienced in the Ardagh District in consequence of Mr. Ambrose not residing therein?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I beg to refer the hon. Member to the replies given to questions put by him in this House on the 13th and 20th December, 1888, on the subject-matter of the first paragraph. No complaints appear to have reached the Local Government Board since that time.

#### POST OFFICE AT CORDUFF.

MR. PATRICK O'BRIEN (Monaghan, N.): I beg to ask the Postmaster General whether he has received a Memorial from the inhabitants, numbering about 400 families, of Corduff, County Monaghan, asking for the establishment of a post office; whether he has caused inquiry to be made at the Carrickmacross, Shantonagh, and Corvally Post Offices, all situate several miles distant from Corduff, to ascertain the number of letters and other communications which pass through those offices for the Corduff district; and whether he intends opening an office at Corduff?

\*MR. RAIKES: I think I answered on the 17th ultimo a similar question to this put by the hon. Member. Some further inquiry is being made on the subject, but I fear there is no prospect of a post office being opened at Corduff.

MR. P. NALLY.

COLONEL NOLAN (Galway, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that Mr. P. Nally was arrested on 23rd May, 1883, and was brought up for trial in July, 1883, but put back for trial at the Winter Assizes, the venue having been changed to a county 100 miles distant from his own; that he was then tried before a special jury under the Criminal Law and Procedure (Ireland) Act, and that this jury disagreed; that he was again tried by a special jury under the same Act in 1884, and then sentenced to 10 years' penal servitude; if, between the date of his arrest and final trial, application was made that he should be admitted to bail, and if the presiding Judges of the Queen's Bench, in refusing the bail, remarked that, if he were convicted, the time between his arrest and his committal would be considered in the enforcement of his sentence; if, under these circumstances, and in view of the fact that the then Chief Secretary for Ireland, in answer to a question, declared that all such prisoners kept back from trial, and not admitted to bail, would, if convicted, be allowed a remission of their sentences equivalent to the time of their detention, and considering that the maximum sentence was demanded, the Queen, or his Excellency the Lord Lieutenant, will be advised to remit, in the sentence of Mr. P. Nally, a portion of such sentence as may be equivalent to the period that elapsed between his arrest and conviction; and if he is aware that a considerable number of citizens in the Counties of Galway and Mayo, have expressed their opinion that Mr. P. Nally was incapable of committing the crime laid to his charge, and was convicted on more than doubtful evidence?

MR. A. J. BALFOUR: The facts appear to be substantially as stated in the first paragraph of the question, with the exception that the proceedings with regard to the jury and change of venue were under the Crimes Act of 1882, and not the Statute of more recent date quoted. There is no ground, so far as I am aware, for believing that the presiding Judge, on hearing the bail application on behalf of the prisoner, and the others who were charged on the same

occasion, made the remark attributed to him. I have no information that the then Chief Secretary made a declaration bearing on the case as suggested. Memorials have been received on behalf of this convict of the nature mentioned in the last paragraph. These Memorials have been before successive Lords Lieutenant, including the present Viceroy, and the decision come to has been that there is no ground for a remission of any portion of the sentence.

MR. J. O'CONNOR: If the remarks attributed to the Judges are correct, will the right hon. Gentleman reconsider the matter?

MR. A. J. BALFOUR: I should be quite willing to consider any new facts that may be brought forward.

#### FAIR RENTS.

MR. T. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the fact that for the hearing of fair rent cases in County Clare a list was issued for the months of April and May without any date specified on which the Sub-Commissioners would sit, that the lay Commissioners visited the holdings of the tenants whose cases were listed before they were heard in Court, and that the sitting was held without any official intimation to the solicitors either for landlords or tenants; is it the fact that the Chief Commission issued a list of appeal hearing for County Clare for the 13th May, that an official valuer visited the lands of those whose appeals were listed, and that the result of his valuation was communicated from the head office to the tenants with a request that if they wished to proceed or withdraw their appeal to fill up the accompanying form, and notifying to them the fact that the list of the improvements taken by the Sub-Commission, which was the basis of the valuation arrived at by the official valuer, could be procured at the cost of 1s. from the head office, and that at the foot was given the "net valuation" of "holding referred to in this letter;" is he aware that several of the tenants, believing that this valuation was to be their future rent, forwarded the notice filled up, withdrawing their appeals, and others were so confused by the receipt of it that they were obliged to

travel long journeys to consult their solicitors as to its bearing on their case; that a revised list of appeals has now been issued for Clare, which was first of all sent to the landlords and then to the professional gentlemen engaged; and will the Land Commissioners take note of the dissatisfaction caused by these practices?

MR. A. J. BALFOUR: (1) The Land Commissioners report that a list of fair rent cases for hearing in the Poor Law Union of Ennis was sent to all the parties concerned, with a notice on the first page that the date of commencement would be subsequently notified. That notification was sent some days afterwards to the parties or their solicitors in regard to the first 60 cases on the list which were then fixed for hearing on the 21st April. All the parties noticed appeared on that day. A few of the holdings on the list were inspected before the hearing in Court, a proper course to adopt when the Assistant Commissioners have time at their disposal. (2) The preliminary list of appeals referred to in the second paragraph was issued by the Chief Commission. Their official valuer has not yet reported the result of his valuations on that list, and therefore no communication has been sent to the parties concerned in those cases; but after that list had been issued the official valuer reported the result of his valuations in another portion of the county, and the Chief Commissioners in each of these cases communicated the result of such valuation to the appellant and his solicitor. (3 and 5) The Commissioners have no reason to believe that the contents of the notice were misunderstood, or that the parties themselves are dissatisfied with the course adopted, which has been to place them as early as possible in possession of the results of the valuation. (4) They also report that it is not the case that the revised list was first sent to the landlords as alleged.

MR. T. M. HEALY: Is there any objection to the Land Commissioners appending to their Report a notification to the tenants—who are mostly ignorant men—that they are not bound to accept the result of the valuation?

MR. A. J. BALFOUR: I will communicate the suggestion of the hon. and learned Member to the Land Commissioners.

#### LEASEHOLDERS' IMPROVEMENTS IN IRELAND.

MR. T. M. HEALY: I beg to ask the Attorney General for Ireland if the attention of the Government has been called to the state of the law affecting leaseholders' improvements as laid down by the Land Commission in "*O'Neill v. Cooper*," and the exclusion of tenants from the Land Act where the lettings were by owners under limited powers, as decided by the Appeal Court in "*Massey v. Norse*"; and whether they will consider the advisability of amending the law?

THE ATTORNEY GENERAL FOR IRELAND (MR. MADDEN, University of Dublin): The former of the two cases referred to in the question of the hon. and learned Gentleman applied to the particular circumstances of the case a general principle laid down in previous decisions—namely, that the right of exemption from rent in respect of improvements under the Acts of 1881 and 1887 is co-extensive with the right to compensation in respect of improvements under the Act of 1870. In the latter case, "*Massey v. Norse*," it was held that a lease made by two tenants for life under a settlement, without leasing power, for the term of their lives, expired with their estates, and was not by any provision in the Act of 1881 made to affect the estate of the remainderman under the settlement. It is apparent that these questions could not be dealt with without re-considering principles laid down and adopted in the Acts of 1881 and 1887; and, apart altogether from the merits of his suggestions, the hon. and learned Gentleman will, I trust, recognise that the Government cannot add to their existing engagements by undertaking any legislation in relation to these Acts.

#### LIGHT RAILWAYS.

MR. STOREY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any projects under "*The Light Railways (Ireland) Act, 1889*," have yet been agreed to by the Treasury; if so, which,



and what amount in each case of public money is to be given, and what lent?

MR. A. J. BALFOUR: The time required to carry out the procedure required by the Light Railways Acts of 1883 and 1889 has rendered it impossible finally to conclude any arrangement. Progress has been made with the detailed examination of plans and other preliminaries concerning a mileage of railway more than sufficient to absorb all the money available; and some schemes are in a very forward state indeed.

MR. T. M. HEALY: Will any opportunity be afforded for discussion in this House before the money is granted, or will the decision of the Treasury be the first intimation we have of what money is granted, or what schemes have been approved?

MR. A. J. BALFOUR: I do not think that any opportunity will be afforded to this House for discussing schemes. As the hon. and learned Member is aware, every scheme has already been threshed out in an elaborate manner in this House and before the Grand Juries.

MR. STOREY: Is one of the schemes in Galway?

MR. A. J. BALFOUR: I do not think that anything will be gained by dwelling upon particular instances.

#### THE SHANNON FISHERIES.

MR. O'KEEFFE (Limerick City): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what steps do the Government propose taking to safeguard the interests of the Shannon Fisheries, which the Inspectors of Irish Fisheries declare, in their recent Report, are being seriously injured by works of excavation and destruction of spawning beds now in progress at Killaloe; and whether the Government propose to take any action with regard to the criticisms of the Board of Works, under the heading, "Observations," on the findings on oath of the Inspectors of Fisheries in their Report?

MR. A. J. BALFOUR: A further communication has been received from the Limerick Board of Conservators in reference to the conflict of opinion which exists as to the probable effect of the works on the Fisheries, and that communication is now under the consideration of the Irish Government.

*Mr. Storey*

#### RATHKEALE DISPENSARY.

MR. WILLIAM ABRAHAM (Limerick, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, in August last, there was a vacancy for the office of apothecary in Rathkeale Dispensary, County Limerick, and that advertisements were duly published, which stated that candidates were required to have the qualification of "apothecary;" that there were only two applicants, one of whom was not qualified as an apothecary; that the latter, notwithstanding his want of the qualification, was elected by a majority of the Dispensary Committee, but the election was set aside by the Local Government Board; if he can explain why, under the circumstances, Mr. Cahill, the other candidate who, as the only applicant qualified in accordance with the requirement of the advertisement, was refused the appointment, why another election was ordered, and the new advertisement so framed as to render the formerly disqualified candidate eligible for election; whether he was elected; and what precedent there was for so acting under the circumstances?

MR. A. J. BALFOUR: The facts are substantially as stated in the first paragraph. Mr. Cahill did not obtain the requisite majority of votes, and his claim to be elected could not be admitted. It was, therefore, necessary to proceed to a new election, and, on the application of the Dispensary Committee, it was declared that the appointment might be filled by either an apothecary or a Pharmaceutical Chemist. Mr. Whelan, who holds the diploma of a Pharmaceutical Chemist, was elected in September. The Local Government Board have sanctioned the appointment of Pharmaceutical Chemists to discharge the duties of apothecaries in several Unions in Ireland.

#### THE FUNERAL OF MR. HARRIS, M.P.

MR. MURPHY (Dublin, St. Patrick's): I beg to postpone for my hon. Friend the Member for West Belfast (Mr. Sexton) a question which stands in his name, to ask the Chief Secretary to the Lord Lieutenant of Ireland, whether he can now make his promised statement as to the conduct of the police at Ballinasloe on the occasion of the funeral of Mr. Harris, M.P.

## BAIL PRISONERS.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether bail prisoners confined in first-class prisons in Ireland are entitled to be provided with a room, instead of a cell, on their making application; and if it is true that first-class misdemeanants are so provided, and permitted to receive visits from their friends in a room, and not in the visiting room termed "the cage?"

MR. A. J. BALFOUR: The General Prisons Board report that bail prisoners are entitled to all the privileges of untried prisoners. The hon. Member will find the information he seeks contained in the Return of Irish Prison Rules and Regulations laid upon the Table of this House during the Session of 1888.

MR. T. M. HEALY: Do the Prisons Board deny that bail prisoners are entitled to all the privileges of first-class misdemeanants?

MR. A. J. BALFOUR: They do not appear to have been asked that question, but I will inquire if the hon. Member wishes.

## SKIBBEREEN CUSTOM HOUSE.

DR. KENNY (Cork, S.): I beg to ask the Secretary to the Treasury whether he is aware that owing to the transference of the Custom House from Skibbereen to Bantry very great inconvenience and injury are caused to the Baltimore fishing industry; whether, according to existing Customs arrangements in Skibbereen, the Deputy Officer of Customs in that town is unable to give permission for the discharge of cargoes of ice absolutely essential for the preservation of the fish caught by the Baltimore fishermen, and also that it is impossible for him to obtain permission by telegraph from Bantry to do so, and whether, in consequence, steamers for conveying the fish have to wait at Baltimore the arrival from Bantry, 24 miles distant, of the Superintendent of Customs; and whether he will take steps to have abated the inconvenience complained of, by restoring the Custom House to the Skibbereen district?

THE SECRETARY TO THE TREASURY (MR. JACKSON, Leeds, N.): I am informed that it is not the fact that very great

inconvenience and injury have been caused to the Baltimore fishing industry through the transference of the principal Customs Offices for the Port of Skibbereen from Skibbereen to Bantry. The Board of Customs have ascertained that no delay has been caused by this change in the discharge of any vessels, nor need any delay or inconvenience be occasioned thereby, as the Officer of Customs still stationed at Skibbereen is now empowered to deal with any Customs business, there or at Baltimore, that may require attention, under exactly the same conditions as were in force previous to the change referred to. No occasion has, therefore, arisen for making any alterations in the present arrangements.

## LIEUTENANT WILCOX, R.N.

DR. TANNER: I beg to ask the First Lord of the Admiralty if he is aware that Mr. Wilcox, Lieutenant R.N. and Coastguard Officer at Spanish Point, Miltown Malbay, County Clare, acts as local agent for the Army and Navy Co-operative Stores, and has a shop fitted up and stocked in the locality, selling, amongst other things, wine, spirits, and tobacco; and if such conduct is in accordance with the regulations of the Admiralty; and, if not, whether instructions will be issued to Lieutenant Wilcox to desist from his present practices?

LORD G. HAMILTON: I must ask the hon. Member to postpone the question. I have not yet received the information.

## POLICE WATCHING.

MR. FLYNN (Cork): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the newspaper reports of the manner in which Messrs. E. O'Brien, P.L.G. and James O'Brien were constantly followed by police constables at the last Midleton and Killeagh (County Cork) fairs; and whether this system of watching by the police at fairs and markets in Ireland will be allowed to continue; and, if so, will instructions be given to the Constabulary Authorities not to permit it to be exercised against individuals when engaged on their own private business transactions at fairs or elsewhere?

**MR. GILL** (Louth, S.): I also beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that great inconvenience is caused to persons visiting the markets in Drogheda by the shadowing of the police, who interfere with people in the transaction of their lawful business, and whether he will state the reason for such action by the police, and cause it to be discontinued?

**MR. A. J. BALFOUR**: The Constabulary Authorities report that the persons referred to were known to be actively engaged in endeavouring to boycott the sale of cattle by persons who had rendered themselves obnoxious by taking evicted farms, &c., or by having dealings with so-called obnoxious persons. The police have instructions to watch all persons engaged in this illegal practice, and to make them amenable to the law when possible. So long as the illegal system is pursued the police will continue to discharge this duty.

**MR. FLYNN**: Will the right hon. Gentleman direct the constabulary to issue instructions that when a man is transacting his own business in ordinary buying and selling, he shall not be interfered with?

**MR. A. J. BALFOUR**: There is no desire on the part of the Constabulary Authorities to interfere with any man engaged in the ordinary transaction of his business.

**MR. JOHN O'CONNOR**: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is a fact that, on the 7th instant, in the town of Tipperary, Mr. Robert Paul Gill, engineer, of New Tipperary, was accompanied by two policemen named Maddock and Gurry, who walked alongside of, and keeping step with him; whether Mr. Gill asked the policemen had they any business with him, and again would they persist in accompanying him in the same manner; whether Gurry said to Maddock, "Answer no more questions, we will do what we like," and continued to accompany Mr. Gill; and whether this procedure of the policemen is according to any special instructions to the police of Tipperary?

**MR. A. J. BALFOUR**: I am sorry that I am not able to answer the question of the hon. Member at present.

#### THE BELFAST MAGISTRATES.

**MR. DE COBAIN** (Belfast, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, as there are two Stipendiary Magistrates for the city of Belfast, he could state on what ground those gentlemen leave the Court in charge of a Local Justice on Fridays, one of the most important days for hearing cases; and, as the business of the Court on that day is disposed of in a way eminently unsatisfactory to the general public and the members of the legal profession at present, would he give directions that in future the Resident Magistrates must not leave the dispensing of justice exclusively in the hands of Local Justices on Friday or any other day?

**MR. A. J. BALFOUR**: According to the Report I have received the Resident Magistrates referred to appear to attend the Court regularly on all the days of the week, Friday included, and they have only been absent on exceptional occasions which were unavoidable; so that there seems to be some misapprehension on the part of my hon. Friend in regard to the case.

#### PHOENIX PARK, DUBLIN.

**MR. MURPHY**: I beg to ask the Secretary to the Treasury what steps are being taken about the band stand in Phoenix Park, Dublin, which it was promised would be erected by the Board of Works; and when will it be commenced and completed?

**MR. JACKSON**: Tenders have been called for, and the work can be put in hand as soon as the money is voted by Parliament.

#### MR. G. SANDES, J.P.

**MR. LABOUCHERE**: I beg to ask the Attorney General for Ireland what has been the result of the inquiry on the part of the Lord Chancellor into the conduct of Mr. G. Sandes, J.P., for the County of Kerry, and whether he has been superseded in the Commission of the Peace?

**MR. MADDEN**: The Lord Chancellor of Ireland, having carefully inquired into and considered all the circumstances of the case, came to the conclusion that the repute and usefulness of the gentleman referred

to were so affected that in the public interest he ought no longer to be retained in the Magistracy, and the Lord Chancellor has accordingly directed that his name be omitted from the Commission of the Peace.

MR. CLANCY (Dublin Co., N.): When was the decision arrived at?

MR. MADDEN: Sometime last month.

MR. CLANCY: Yet last week the Chief Secretary said that he knew nothing about it.

MR. A. J. BALFOUR: It was not my business to know anything about it. It rested entirely with the Lord Chancellor, who told me last Saturday the decision he had come to. That, however, was subsequently to the question to which the hon. Member refers.

#### THE CONVICT M'CAFFREY.

MR. M'CARTAN (Down, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can now state for what periods the convict prisoner M'Caffrey has been punished by solitary confinement, or otherwise, since his return to Downpatrick Gaol from London, where he had been brought as a witness?

MR. A. J. BALFOUR: The General Prisons Board report five cases of punishment. Perhaps it would be more convenient if I show the Return to the hon. Member. He can then ask a further question if he wishes to do so. I am, however, quite willing to read out the reply in the House if the hon. Member wishes it.

#### THE CROWN SOLICITOR FOR DONEGAL.

MR. WEBB (Waterford, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any decision has yet been come to regarding Mr. John Mackey, Sessional Crown Solicitor for Donegal, who, at Ramelton, on 29th March, admitted on oath having struck and wounded Mr. Hugh Hegarty with a naked sword, upon the suspicion that he had broken a pane of glass?

MR. A. J. BALFOUR: I understand legal proceedings are pending against this gentleman. The Government must await the result of those proceedings.

#### TREATMENT OF IRISH PRISONERS.

MR. PATRICK O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the treatment of Mr. Daly, of Carrickmacross, on his way to Belfast Gaol, whether he is aware that Mr. Robert Dunlop, T.C., Belfast, who was convicted of forgery and of insurance frauds, was transferred from Belfast to Derry Gaol in his own clothes and that no attempt was made to handcuff him; and why such different treatment was given to Mr. Daly and his friends, who were convicted of boycotting only, and who were obliged to wear prison clothes and handcuffs on their way to Belfast Gaol from Derry?

MR. A. J. BALFOUR: These gentlemen had the option of wearing their own clothes on their original reception in the prison, but they elected to wear the prison dress. Mr. Dunlop was not handcuffed, because no difficulty was expected in regard to him.

#### THE LAND COMMISSION—RETURNS.

MR. J. E. ELLIS: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when the Return of Sittings of the Irish Land Commission, ordered 24th April, may be expected to be distributed?

MR. A. J. BALFOUR: The Return was laid on the Table of the House to-day.

#### THE IRISH ESTATES' SELECT COMMITTEE.

MR. T. M. HEALY: I beg to ask the First Lord of the Treasury whether he can now give the reply promised before Easter as to the re-appointment of the Select Committee on the sale and management of the Irish Estates of the City Companies in County Derry?

\*MR. W. H. SMITH: The names of the proposed Select Committee on the Irish Estates of the City Companies in County Derry will be placed on the Paper to-night.

#### THE CHANCELLOR OF THE EXCHEQUER'S SPEECH AT RAWTENSTALL.

MR. STOREY: I desire to put a question to the Chancellor of the Exchequer, of which I have given him private notice. The right hon. Gentleman was down in Lancashire last evening

with a noble Lord who sits upon the Opposition side of the House, and he is reported to have said in the course of his speech—

“Then we have been endeavouring to pass the Allotments Bill, a small Bill which ought to have been passed in three or four hours.”

“They,” meaning the Liberal Party,

“Have endeavoured to smother the Bill with Amendments.”

And further on—

“Keep your eyes on these murderous intentions. We know this—that our opponents do not care to prove that which is dear to our hearts—namely, the competence of the Imperial Parliament for the work which it has to do. They do not care about losing the reputation, about imperilling the reputation of that House.”

—the House of Commons. The question I wish to ask the right hon. Gentleman is whether, when he made that speech, he was aware that there were only 32 Amendments on the Allotments Bill, and that only 12 of those were moved by hon. Members belonging to the right hon. Gentleman's opponents, while no less than 20 were moved by his own political friends? Is the right hon. Gentleman also aware that after the Bill had been discussed upon parts of two days only, there now remain upon the Notice Paper only 12 Amendments, six of which proceed from the Liberal Party, and six from the right hon. Gentleman's own supporters? If the right hon. Gentleman is referring not to Amendments but to Instructions, does he not think that it would have been fair to have told his hearers, when denouncing the opponents of the measure for endeavouring to smother the Bill, that a working arrangement had been made by which only one Instruction was left upon the Paper, and, finally, I wish to ask the right hon. Gentleman what reparation and what compensation he intends to make to the Liberal Party for what I cannot help characterising as a political libel upon them?

\*MR. CHANNING (Northampton, E.): I should like to ask another question, which the right hon. Gentleman will be able to answer without notice, and it is whether he is aware that practically the whole time devoted to this Bill at the Morning Sitting on Tuesday was taken up by two Amendments, of which one was accepted by the Government, and the other was moved by an hon. Member on the Ministerial side of the House?

*Mr. Storey*

\*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): No passage of the kind which the hon. Member has read can be fairly interpreted without the context. What I stated was this, that there was practically a new form of obstruction, and that was that, instead of attacking Bills in front, it was now endeavoured to delay and defeat them by smothering them, and that I called a murderous process, because it was equivalent to the killing of a Bill. The hon. Member himself has seen what was in my mind. This simple Allotments Bill was to be met by nine Instructions, and if ever there was evidence of an intolerable attempt to smother a Bill, I think it was supplied by the case of a Bill of that kind to which nine Instructions were put on the Paper. Presumably they were not bogus Instructions, and it was intended to move them. If they had been moved they would have smothered the Bill; without any doubt whatever, it would have been impossible to carry the Bill if these Instructions had been moved, because they would have absorbed infinitely more time than possibly could have been given to the Bill. That was obvious to the right hon. Member for Derby, and it was obvious to Mr. Speaker. The hon. Gentleman asks me whether I am aware they were removed. I am aware they were removed, under, I will not say the reprimand of the Speaker, but under words which fell from the Speaker, and which were to the effect that if this new system were pursued, it would be utterly impossible to proceed with legislation. I repeat, I think it is a simple Bill, which might have been passed in a very much shorter time. It is not a question of the number of Amendments, and of the time devoted to the discussion of each; but I am sorry to say—and if hon. Members think I misrepresented them with regard to this Bill in any way, I express my regret—I do consider the placing of these Instructions on the Paper fully justified the spirit of what I said, if not the actual words I used.

MR. STOREY: I am much obliged to the right hon. Gentleman, and I should be glad if he would supplement his reply on one point only, and tell us

plainly whether he believes that the Liberal Party—"our opponents" as he calls us—do not care about imperilling the reputation of this House?

\*MR. GOSCHEN: This is not a usual form of cross examination, but I will answer straightly and frankly, I say there is a Party in this House opposed to us, who are not anxious for the quick discharge of the business of the House, and who wish to prove the inefficiency of this House for the discharge of the general duties that devolve upon it. It has been avowed more than once in this House, and I say, again, that whenever any allusion is made to the fact that we cannot get through the business, it is met with loud cheers in various parts of the House opposite, as if to prove that the House is incompetent to discharge its duties.

MR. J. MORLEY (Newcastle-upon-Tyne): I should like to ask the Chancellor of the Exchequer whether he is not aware that the Chairman of Ways and Means, at Easter, informed his constituents and the public that the House of Commons had done its business very well?

\*MR. SPEAKER: There is no Question before the House.

#### THE LAND PURCHASE BILL.

\*MR. J. E. ELLIS: May I ask whether the Government propose to take the advice given last night by the right hon. Member for West Birmingham, and to drop certain portions of the Land Purchase Bill?

\*MR. W. H. SMITH: The hon. Gentleman will be surprised to hear that I have not been able in the course of the day to read that advice.

#### THE ARMY ESTIMATES.

DR. FARQUHARSON (Aberdeenshire, W.): Will the Army Estimates be taken before the Whitsuntide recess, and will the Barracks Bill be proceeded with to-night?

\*MR. W. H. SMITH: I am afraid it will not be possible to bring on the Barracks Bill this evening, nor can the Army Estimates be taken before Whitsuntide.

### ORDERS OF THE DAY.

#### CUSTOMS AND INLAND REVENUE BILL.—(No. 231.)

##### COMMITTEE.

Order for Committee read.

(440.) MR. T. M. HEALY (Longford, N.): The question raised by the Instruction I am about to move is one of considerable gravity to the Division which I have the honour to represent. I trust that the Chancellor of the Exchequer will not be prejudiced against the subject because it is brought forward in the shape of an Instruction, and I hope it will be considered in a non-contentious spirit. A Bill embodying a similar provision was read a second time in 1879, with the approval of a Conservative Government, and the then Secretary to the Treasury, the hon. Baronet the Member for the Epping Division of Essex, said he saw no objection to the proposal. The Bill was also supported by Mr. Wheelhouse, a staunch advocate of the Licensed Victuallers interest, by the Member for Carlisle, and by Irish Members, Conservative and Liberal. Seeing that the Government are now imposing a heavy duty on spirits, what objection can there be to breaking the blow inflicted on Ireland and Scotland by adopting this proposal? If consumers are to pay more for their whisky, they ought, at any rate, to be sure of getting a better article for the money. I do not ask the Chancellor of the Exchequer to at once express a definite opinion on this subject. I shall be content if he says his mind is open to consider it when the Bill is in Committee. There is, of course, the question of rectifying. It is true rectifiers may have some objection to the proposal. A rectifier wants new whisky for his purposes, but I think this difficulty would be met if he were allowed to rectify in bond. Now, we import millions of gallons of German spirits at the present time, and the whisky distillers of Scotland and Ireland have no protection against this spirit, which is sold at 1s. 6d. This is a crying evil, which is going on under the eyes of the Chancellor of the Exchequer himself. The Chancellor of the Exchequer comes down to the House to propose an

addition of 6d. per gallon to the tax on spirits, and I may say comes here reeking with German spirits—in this sense, that there being a drawback now allowed of 2d. per gallon on all spirits sent abroad, in order that German spirits should not get the benefit of that Jubilee drawback, Excise officers are appointed not only to watch the blending of spirits, and to see the blending of the German spirits with the English, Irish, and Scotch spirits, but to see that our whisky, which is sent abroad, plus the German spirits, does not enjoy the benefit of the drawback. That, I say, is in reality a fraud, or rather a recognition of fraud, because these German spirits are sent abroad as English, Irish, and Scotch spirits, while all the time the Chancellor of the Exchequer has men who are watching the fraud, and whose duty it is to protect the Revenue, and see that these German spirits do not get the benefit of the drawback. How, I ask, does the Merchandise Marks Act work for home protection in other matters? I read the other day that a revolver was being sent from Birmingham to Mexico, and finding that although it was made in Birmingham or Sheffield, or in some other part of this country, it was marked as an American revolver, Her Majesty's Government would not allow the Mexicans to be defrauded by having that revolver marked as of American manufacture, whereas it was of English origin. I ask why do you not treat the whisky in the same way as you treat other articles, especially when you are so alarmed at the idea that the Mexicans should be allowed to shoot each other with fraudulent revolvers? I do not think it would matter very much to a Mexican whether he was killed by an American or English revolver; but if you are going to be so careful in regard to a matter of this sort, I say you ought to exhibit the same amount of caution with regard to spirits. The protection of the Merchandise Marks Act is not given to these manufactures because they happen to be liquids, and the Government allow the system of blending to go on for the benefit of the Germans, and to the detriment of the native taxpayer. I think you would, to a large extent, check this fraud if my proposal were adopted; but the result would be that the

*Mr. T. M. Healy*

Germans would have to bring their spirits over here to cool for a whole twelvemonth in bond, the 1s. 6d. stuff thus greatly benefiting by the air in which it would remain for that period. One consequence of this would be that the Germans would not be likely to send over here spirits that would have to be retained in bond for so long a time. Doubtless there might be some loss to the Revenue, but the pocket of the Chancellor of the Exchequer is one thing, while the stomachs of the lieges are another, and the right hon. Gentleman ought to do all he can to prevent needless adulteration. But there is another point. I have not argued the merits of the question, because everybody admits the merits. The Reports that have been presented amply show the great benefits that would accrue from the adoption of a proposal of this sort. Well, let me ask what are the objections? First, however, I should say on behalf of the Irish distillers, who have a high reputation, I believe they would all gladly welcome this proposal. Take a man like John Jamieson. His spirit is never drunk until it is seven years old, although it would, undoubtedly, be far better when only 24 hours of age than some of the German stuff would be if kept for 24 years. However, the German spirit is never allowed to attain its majority. I say the respectable distillers would welcome a proposal of this kind, because they already carry out its principle in their own practice; and the objections that may be urged on the ground of storage will not lie on their account. With regard to the less reputable distillers—though I ought hardly to say that, and should more appropriately term them the distillers of less capital—it is possible that some of them might object to Government storage. I was lately reading a Return obtained by Mr. Board in 1877, and, as far as I could gather from that, there is annually stored in bond no less than 40,000,000 of gallons of spirits. I do not know how the Scotch distillers view my proposal, but I know that some of the Scotch Members are in favour of it. Looking at the matter as a whole, it can only be a question of a very few additional officers of Excise, and perhaps a small additional cost to the Treasury. I put it to the Government that, without adopting the motto of Mr.

Disraeli, "Health before everything," they ought to do something for the consumer, especially as he is now having an additional tax imposed upon him. Nobody recommends the drinking of whisky, and I am not putting the matter in that sense, because I think it would be much better for everybody to do without it, but, at the same time, we know that there are oceans of stuff sold under the name of whisky which would not be available if this Instruction were adopted, and I am convinced that its acceptance would do a great deal towards promoting the interests of law and order. Many of the crimes now committed are perpetrated under the maddening influences, not of ordinary drink, but of the adulterated liquids that are allowed to be sold. I hope I have said nothing of a controversial nature, and I trust the Government will see their way to do something towards protecting the people on whom the tax they are imposing will fall. I do not say that some distillers may not have objections to my proposal; but, in my opinion, if the distilling interests of Scotland are opposed to the Bill their views ought not to prevail; because we have the consumer to consider more than the manufacturer. I think the Government might regard favourably a proposal like this, which had the assent of a Conservative Government in 1879. I do not know whether the hon. Member for South Tyrone is opposed to spirits in bond or out of bond; but I think anybody who has considered the question must deplore the kind of whisky which everybody must agree the poorer people have to consume. I hope the Chancellor of the Exchequer will, in the interest of the consumer, give attention to this proposal.

Motion made, and Question proposed,

"That it be an Instruction to the Committee that they have power to insert a provision that spirits be kept in bond for a year after manufacture."—(*Mr T. M. Healy.*)

(7.57.) MR. SEAGER HUNT (Marylebone, W.): Mr. Speaker, with a great many of the remarks of the hon. Member I cordially agree, but his proposal would be calculated to cause very great inconvenience to the rectifier. It is by the very process of rectification that impurities of this kind are removed.

MR. T. M. HEALY: The rectification could be carried on in bond.

MR. SEAGER HUNT: But that would necessitate an alteration in the present system of working. I would go further than the hon. and learned Gentleman goes, because if keeping the whisky in bond improves it, I think it should be kept in bond for at least seven years.

MR. T. M. HEALY: I should be delighted.

MR. SEAGER HUNT: But the spirit bonded by the malt distillers would have to be distinguished from that of the whisky distillers, and the former should certainly be sent out of bond as soon as possible. If the hon. Member will agree to that, I am prepared to support his Motion. Before I sit down I should like to call attention to the quantity of impure spirits imported into this country—

\*MR. SPEAKER: The hon. Member is not permitted to travel outside the actual discussion on spirits in bond for one year.

\*(5.0.) MR. GOSCHEN: Mr. Speaker, I am certainly disposed to view the proposal of the hon. Member for Longford in a favourable manner. The question has been brought before me before, and I take a great interest in it. There is a great desire that spirits should be kept longer in bond, but a distinction must be made between the various forms of spirits. The hon. Member has based his arguments upon the distillation of whisky. I am informed that the Instruction would apply not only to whisky but to gin and other spirits, and I do not know how far the hon. Member wishes to go in that direction. I am told that there is not the same objection to the mingling of foreign spirits in these cases as in the case of whisky. The matter is already under my consideration. I have directed my attention to the bearing of the Merchandise Marks Act, and if there is any fraud or deceit going on with regard to the mingling of foreign spirits with Scotch or Irish spirits it ought to be dealt with in a similar manner, if it can be done, to that adopted with regard to the Merchandise Marks Act. I am looking at the matter from really the same point of view as the hon. Member has put before the

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House, but it is very complicated and could not be dealt with in one or two clauses. If we were to lay down a rule that spirits are to be kept in bond for a considerable time the result would be to keep the whole business in the hands of those who have capital, which would enable them to wait. Some could keep their spirits in bond for six or seven years, but there are others who, if they kept their spirits long, would suffer considerable inconvenience. I cannot consent to accept clauses which might be proposed to effect the object in view; but if the hon. Member will be satisfied with my assurance that I will endeavour, in the next few weeks, to arrive at a conclusion and to introduce a short Bill, if I see that there is any chance of passing it, I will see that the whole matter is examined and put it in a practical form before the House. It will be most inconvenient to spring the matter on the trade. I suggest these considerations in order to show that it will be unwise to deal with the matter in such haste as would be involved in accepting clauses without consideration where there are so many interests concerned. In many ways I sympathise with the object of the hon. Member, and will endeavour to meet it.

Motion, by leave, withdrawn.

Bill considered in Committee.

(In the Committee.)

Clause 1 agreed to.

Clause 2.

Mr. PICTON (Leicester): I rise to move the Amendment of which I have given notice, and I have to say a word in explanation of the form it takes. The Division which I propose to take will necessarily be on this formal Amendment, substituting the word "ninety" for "ninety-one;" the effect of which, of course, would be that the Tea Duty would come to an end in the month of August in this year, instead of August of next year. I think that every year a Division should be taken upon the question whether tea is a proper commodity for taxation or not. If hon. Members would only vote as Members of the different Parties have spoken out of doors, I have no doubt whatever I should carry my Amendment. Of course, the question is an old one, and it is associated

*Mr. Goschen*

with some of the most memorable names we have known in this House. I need scarcely refer to the interest taken in the question of a free breakfast table, of which this subject is a part, by the late Mr. John Bright, whose memory is fragrant to every one of us, however much we may have differed with him in some of his opinions. For years he laboured on this question. Recently it has been taken up not by one great Party in the State, but by two great Parties respected on both sides of the House. The Liberal Federation in Manchester unanimously passed a resolution affirming that the duty should be taken off tea. As far as I know there was no opposition whatever. Several leaders of the Liberal Party have taken their places on the platform of this Federation at their meetings, and the resolution has been prepared with great deliberation by the Council of the Federation. Not only was that the case, but in the Conservative meetings at Nottingham, as is very well known, there was a strong desire to have a resolution on this subject brought forward and passed. Why the rank and file of the Party were prevented from bringing it forward by their leader I do not know; at any rate it is certain they were all strongly in favour of it. We are told we ought to be content because the Tea Duty has been reduced. But, as the hon. Member for Oldham said the other day, it is extremely problematical whether the small consumer will ever receive the benefit of the reduction. Certainly we ought to be satisfied upon that point. The right hon. Gentleman has said that already the price of tea is being brought down. Yes, we see advertisements everywhere of enterprising grocers who are advertising their tea at 2d. per lb. less. But that is for the people who buy their tea by the pound; it is certainly not for the poor, who buy their tea in small packets, such as the right hon. Gentleman himself described in his speech. I know from what I have heard from merchants doing a large business that they expect to get a large part of the reduction into their own pockets, and certainly very little of it will reach the poorer classes. The right hon. Gentleman made a correction in his statement as to the small packets the other day.

He told us that, owing to the hurried manner in which the information had been prepared for him, his informants had fallen into an error, and that we ought to reduce by half the prices which he gave. But that makes in my favour. Taking the price that still remains there is a larger percentage of duty on the tea as sold to the poor. In making the correction, he told us that tea which was sold in penny packets to the poor, when properly reckoned out, came to 1s. 4½d. per lb., and that the price would run up from 1s. 4½d. to 1s. 11½d. It is evident, taking the duty at 4d., that the duty on tea to the poor ranges from 20 to 26 per cent., according to the price of tea. The merchants and those concerned must get their profit out of the Customs Duty, and also out of the price they pay for the tea without the duty. Therefore, it is reckoned by some that the duty, instead of being 8d. was 6d., and, if that were true, it may be said the duty instead of being 4d. would be 6d. I believe the 4d. duty will still cost the consumer 4d., 5d., or 6d. The right hon. Gentleman, in reply to some remarks of mine, said my argument would go to this point, that the consumer would gain very little indeed even if the duty were taken off altogether. I do not quite see that. It is so much cheaper to collect 6d. than 3d.; but, besides that, if you make the commodity free of duty altogether, you save a considerable amount in Custom House officers, and bonded warehouses, and interest on money, and a variety of channels of expenditure. Therefore, it is quite clear that if the whole of this reduction will not go to the consumer, he would be more benefited if the whole amount were taken off, than when you merely take off a small amount. An indirect tax costs a great deal more in collection from the people who consume the commodities than it gives to the Government who collects the tax. This may be tolerable, and is tolerable with regard to luxuries, but I say it is utterly intolerable, when we have to do with the necessities of life. However, the more substantial issue which I raise on this occasion is that the tax on tea is a tax on a very large number of people indeed; it is a tax on the narrow income which is absolutely essential to live in peace and

comfort. The right hon. Gentleman did not hesitate to describe afresh the duty on tea as a Poll Tax, if it were taken in this sense. It is a tax which nearly every member of the community is called upon to pay. Well, Sir, that is precisely what I object to. The right hon. Gentleman truly said that a very large question is opened up. "I desire to protest" he went on to say,

"Against the view that this tax ought to be swept away, because it rests, to a certain extent, on the working classes and upon those who are in straitened circumstances."

I desire to note these words—"those who are in straitened circumstances." Yes, the sort of straitened circumstances in which a considerable number of our population are found are described in the Report of the Committee of the other House on the subject of sweating. And those who read that Report and the description of misery which it gives of many of the consumers of tea will be able to give an interpretation of the phrase "straitened circumstances." But there is another thing that the Government can do, and that is to take the taxes off all necessities of life. I think the very least the Government can do is to make life easier for the poor. It may be answered that there is not the money to do this. That may be; but a great deal too much is spent. All we ask is that the burden shall be taken off the necessities of life and put on property and the accumulated wealth of the country. I hold that the minimum of income necessary for subsistence in peace and comfort ought to go untaxed altogether. That is the main reason why I urge that this duty on tea should be taken off. If I err in this I err in very good company. The right hon. Gentleman has, I am sure, great respect for the authority of John Stuart Mill, and I call the attention of the right hon. Gentleman to the second volume of his work on taxation. In that work he refers in no critical spirit to the proposals with reference to a graduated Income Tax, and suggests that the tax should fall on the richer classes more heavily in proportion to the amount of wealth. It is also suggested that incomes not exceeding £50 should not be taxed at all, either directly or by taxes on the necessities of life; and that in the

case of the small incomes earned by labouring families, the Government ought not to be a party to making them smaller. I think I have the authority of John Stuart Mill for this argument; but I have also another authority, and a more modern one, for the right hon. Gentleman the Member for West Birmingham, who last night seems to have bidden a final adieu to the Liberal Party, but who was formerly one of the pioneers of Liberal progress, speaking in Birmingham on the 29th January, 1885, used words, according to the authorised edition of his speech, to the effect that a certain income was necessary for subsistence, and that it ought not to be heavily taxed, but that the burden of taxation ought to fall on incomes above that amount. Now, what did he mean at that time by heavy taxation on a minimum of income? It is evident that he included the Tea Duty in his observations, for a little further on he said that if Parliament would only support the Chancellor of the Exchequer, and would give him leave to equalise the duties on land and on personal property, he would soon impose a higher tax upon incomes exceeding a certain amount, and Mr. Childers would be able at once to remedy the injustice and to give a free breakfast table the next day, as well as enable people to put double and treble the quantity of currants and raisins usually put in the Christmas pudding. I think, therefore, I have the authority of the right hon. Gentleman the Member for West Birmingham on my side. I cannot help thinking that the arguments about taxation and representation are often used in a very fallacious way and in a manner entirely inconsistent with the original circumstances to which they were applied. If I mistake not, the principle was first applied on the occasion of the attempt of the Imperial Parliament to lay a tax on the colonies in America. It was always intended that colonies which had no representation in the Imperial Parliament should not be taxed by the Parliament, and I do not think that the principle was applied in any other way at that time. The question was the relation of communities to the Imperial Parliament, and I do not think the right hon. Gentleman can fairly press arguments in favour of the Tea Tax on that principle. When a child is born

*Mr. Picton*

into this country his destiny is bound up with it. If the country prospers, he also prospers; and if the country suffers, he is the poorer for it and suffers accordingly; and that is the practical bond of citizenship which unites all classes. It is said that the poor have votes as well as the rich, and that if they have nothing to pay for expensive wars they will be ready to hurry us into war regardless of the consequences; and therefore it is necessary to tax the tea in order to keep them from rushing into war. But who suffers most from the extravagance and follies of war? It is not the rich. The rich man may occasionally have to put down a carriage or a horse, or to spend less on hunting and luxuries of that kind, but he never suffers in his breakfast or dinner table. He always has enough to eat and drink, and the evils of war fall by the natural process of gravitation upon the poor. It is always the poor who have to put up with the ultimate consequences of misgovernment, and they are learning that lesson now. We are told that in times past when they were not properly instructed they howled for war. But they are learning better than that now; and it is to instruction that we may look for them to gain political wisdom. We are told that in the days of the Crimean War large numbers of the working classes were bitterly bent on carrying on the war. The Tea Tax at the time was increased from 1s. 6d. to 1s. 9d. I do not think that the extra 3d. had any effect on the opinion of the working classes. It is not to the increase of taxation, but rather to the extension of schools like the Board Schools, to the exercise of the franchise, and to the advance of public enlightenment on political matters that we may look for the extension of political wisdom. I contend that this Tea Tax is a shameful remnant of the old times. It is a relic of the mischievous and wicked system of taxing the necessities of life—necessaries which ought to go untaxed. I earnestly appeal to my hon. Friends to vote against this Tea Tax, and in so doing I assure them they are carrying out Liberal principles. I also appeal to hon. Gentlemen opposite to exhibit for once freedom and independence, and to support principles of which, I am sure, they are in favour.

Amendment proposed, in page 1, line 23, to leave out the word "ninety-one," and insert the word "ninety."—(*Mr. Picton.*)

Question proposed, "That the word 'ninety-one' stand part of the Clause."

\*(5.27.) *MR. GOSCHEN*: I trust that the hon. Member will not consider me to be discourteous if I refrain from entering at any length into an examination of the arguments which he has adduced. I have already endeavoured to reply to the hon. Member, who seemingly is not satisfied with it. I think that the arguments for and against are well-known on both sides; and as I have not been moved by what the hon. Member has just said, while the hon. Member remains equally unmoved by the arguments I employed the other day, I hold that no useful purpose is to be served by delaying the decision of the House upon the point.

(5.29.) *MR. JACOB BRIGHT* (Manchester, S.W.): We have no right to expect that the Chancellor of the Exchequer will accept the advice tendered him by the hon. Member for Leicester; but I think that nobody knows better than the right hon. Gentleman that if the duty on tea were taken off there would be a much larger consumption, and that it would be to the benefit of the trade of the country. I think that if my hon. Friend the Member for Leicester will only in the future be as persevering in this matter as he has been in the past, he will be successful in securing the end he desires to attain. It would be pleasant to feel that the poor people get their tea without duty, and it would be equally satisfactory to know that, as this country has compelled the people of India to take everything we produce free of duty, we should take their tea free of duty in return. At present we take plenty of tea from India, and the carrying out of this suggestion would tend to stimulate commerce.

(5.30.) *MR. LABOUCHERE* (Northampton): I do not rise to contest the question of the Tea Tax. I merely rise to say that, in supporting the Amendment of my hon. Friend, I do it because I regard indirect taxation as unfair upon the poor as against the rich, and I wish to see everybody contribute a fair share towards the burdens of the country. So

far as I am concerned, I shall always vote for the abolition of indirect taxation.

(5.30.) The Committee divided:—Ayes 228; Noes 163.—(Div. List, No. 75.)

(5.45.) *MR. T. M. HEALY*: I beg leave to move, after "tea," in line 24, to insert "valued over one shilling." Tea is sold at various prices in this City, from 2d. up to 2s. or 3s. per lb., and I have seen samples sold wholesale at as high a price as 6s. per lb. As I understand the proposals of the Government, a rich man who buys tea retail, possibly, at 7s. 6d. per lb., will pay the same amount of taxation on that tea as the poor man who buys his tea at 2d. or 3d. per lb. The Amendment I propose may be regarded as against the interests of Ireland, because in Ireland they drink the best tea. Those who would chiefly benefit from the Amendment would be the people of London, who, I understand, drink the worst tea in the world. If a person buys tea which, but for the tax, would be sold at 2d. per lb., he will have to pay a 4d. tax on that tea. Possibly another year, if not now, the Chancellor of the Exchequer will be able to consider the proposal. I think the people of London ought to take up this question, and get their Members to press it on the attention of the Government. Personally, I am not interested in the question, because I drink no tea; but I think if you are going to make reductions in the Tea Duty, you should make them in such a manner that the poor man will get something out of them. I would suggest to the Chancellor of the Exchequer that he should re-impose the duty of 6d. on highly-priced teas, and reduce it on the cheaper teas.

Amendment proposed, in page 1, line 24, after the word "tea," to insert the words "valued over one shilling."—(*Mr. T. M. Healy.*)

Question proposed, "That those words be there inserted."

\*(5.50.) *MR. GOSCHEN*: The hon. Member raises a very large question, because the principle underlying his Amendment would apply practically to all the Customs Duties quite as much to the duty on tea. It would apply to coffee, fruit, wine, and tobacco. I remember

when I sought to reduce the duty on cheap classes of wine, the right hon. Gentleman opposite (Mr. W. E. Gladstone) opposed my proposal on the ground that the return to an *ad valorem* system would raise all kinds of difficulties. I would point out that the cases in which tea is sold at 6s. per lb. are very exceptional.

MR. T. M. HEALY: I can give you a sample of the tea now.

MR. GOSCHEN: I think the difficulties in the way of adopting the *ad valorem* system in regard to tea are too great to be overcome.

MR. T. M. HEALY: I proposed the Amendment in the interests of the poor; and if it does not meet with any support, I have no option but to withdraw it.

Amendment, by leave, withdrawn.

(5.53.) MR. BLANE (Armagh, S.): I beg to move the Amendment which stands in my name, namely, in line 24 to leave out "pound," and insert "chest of one hundred pounds." My object is not so much to obtain a reduction of the duty on tea as to abolish it altogether.

THE CHAIRMAN: I must point out to the hon. Member that we already have had a Division on the abolition of the Tea Duty; and if the hon. Member's motive now is to abolish the Tea Duty, he cannot raise that question again, nor would it do otherwise than by abusing the powers of the Committee to propose to reduce the duty to an infinitesimal amount.

MR. BLANE: My point is that the tax bears unequally on the poor as compared with the rich. In the City of London a poor workwoman in her garret possibly pays as much of this tax as the Duke of Bedford, who draws £250,000 or more from his property in the Metropolis. I contend that the taxation should be placed on those who are best able to bear it. In this instance it is placed on those who are least able to bear it. In many families the 6d. per lb. on tea amounts to 26s. a year, and, in some cases, to 30s. a year.

Amendment proposed, in page 1, line 24, to leave out the word "pound" and insert the words "chest of one hundred pounds."—(Mr. Blane.)

Question proposed, "That the word 'pound' stand part of the Clause."

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DR. TANNER (Cork Co., Mid): I think we ought to have some answer from the right hon. Gentleman. My hon. Friend, in bringing this question forward, is trying to do his best for the working classes, not only of our country, but of this country; and I think the right hon. Gentleman, as a salaried Minister of the Crown, would do well to make some reply to his proposal.

\*(5.59.) MR. GOSCHEN: The hon. Member proposes to reduce the duty from 4d. per lb. to 4d. per 100 lbs. The proposition is nearly identical with that made by the hon. Member for Leicester, and I certainly thought, under these circumstances, I was not wanting in courtesy in making no reply.

\*(6.0.) MR. S. BUXTON (Tower Hamlets, Poplar): I appeal to my hon. Friend not to press his Amendment. I, for one, would vote against it, because the effect of it would be absurd.

MR. BLANE: In consequence of the appeal made to me I will not press the Amendment to a Division. I merely moved it in order to elicit an expression of opinion from the Government.

Amendment, by leave, withdrawn.

Clause 2 agreed to.

Clause 3.

\*(6.3.) MR. S. BUXTON: By this clause it is proposed to reduce the duty on currants from 7s. to 2s., and therefore to reduce the revenue from currants from £350,000 to £140,000. It seems to me the Chancellor of the Exchequer might go a little further and abolish the whole of the duty. The cost of collecting £140,000 will be the same as that of collecting the existing revenue of £350,000, and the hindrance to trade, which is caused by any Customs Duty, will be just as great with the collection of the smaller as of the larger revenue. If he abolished the duty entirely he would only have to provide £140,000, and that he could easily provide out of the balance he proposes to carry over until next year. The whole taxation on dried fruits is full of anomalies, and this appears to be a good opportunity of getting rid of another small item of taxation. I therefore move the omission of the clause on the understanding that the Amendment must be

taken in connection with the clause I propose to move later on.

Amendment proposed, "To leave out Clause 3."—(*Mr. S. Buxton.*)

Question proposed, "That Clause 3 stand part of the Bill."

\*(6.5.) **MR. GOSCHEN:** I am not prepared to accept the suggestion of the hon. Member. In the first place, I have not got £140,000 to give away; in the second place, I do not wish to totally abolish the duty on this article of consumption; and, in the third place, the difference between the duty on raisins and currants is already made very considerable by the alteration I have made, and I do not wish to make the difference wider. I do not propose to abolish the duty on raisins; but if any additional reduction was made in regard to currants, we should have to deal with raisins.

\*(6.6.) **MR. PROVAND** (Glasgow, Blackfriars): The remarks of the right hon. Gentleman really go to support the Amendment. He says that to reduce the duty on currants to 2s. leaves a very remarkable anomaly between the duty on currants and raisins. At present the duty on many qualities of raisins is equal to 30 per cent. on the wholesale value; it adds more than 1d. per lb. to the retail sale price of the article. I feel confident the Chancellor of the Exchequer will be compelled next year to remove the duties from these articles altogether, and he might as well begin now when he has a surplus in hand to wipe away these anomalies. The right hon. Gentleman does not wish to abolish the duty altogether. He desires to retain some duty which he might increase in a time of emergency; but no Chancellor of the Exchequer dare—not even in the case of war—increase the duties on food. The people would argue that they have nothing to do with the making of wars, and would revolt against such a proceeding. But one of the safest ways to prevent anything of the kind is to remove altogether these vexatious imposts.

(6.8.) **MR. HERBERT KNATCHBULL-HUGESSEN** (Kent, Faversham): I desire, in a few words, to explain why I intend to vote for this Amendment, and why I went into the Lobby with the hon. Member for Leicester just now. I object to the fiscal policy of this country, a policy which, under the false name of Free

Trade, is producing incalculable injury to our trade and agriculture. I am against the duty upon tea and currants. I contend there is not the slightest reason for taxing these articles of universal consumption. I believe that if we followed the example of every other civilised nation and helped our Exchequer by Import Duties upon articles of luxury and articles which compete with our trade, we should have quite sufficient money without taxing necessities of life. For these reasons I shall vote with the hon. Member for Poplar.

\*(6.10.) **SIR J. LUBBOCK** (London University): If the hon. Gentleman makes Protectionist speeches, but gives Free Trade votes, I do not think we shall have much reason to complain. But I regret to be unable to follow him into the Lobby. The hon. Member objected because he said that if we abolish any of these duties it will be perfectly impossible to re-impose them; but surely that is a reason which ought to make us pause before we take the step advocated. My right hon. Friend, in reducing this taxation, has succeeded in inducing another country to reduce taxation which presses on our manufactures, and I hope he may continue to obtain similar advantages to manufactures of the country. I hope, therefore, that my hon. Friend will not press his Amendment to a Division.

(6.12.) **MR. J. LOWTHER** (Kent, Thanet): While I agree with every word uttered by my hon. Friend the Member for Faversham, I cannot see my way to support the Amendment. I agree that the fiscal policy of this country is altogether wrong. I am of opinion that duties ought to be removed from all articles which cannot be produced here, and that duties ought to be placed upon products which can be produced here, thereby obtaining revenue and at the same time promoting our own industries. Hon. Members opposite have spoken of the determination on the part of the working classes of England under no circumstances to have recourse to a Protectionist policy in regard to food. But would hon. Members go so far as to say that the working classes were thoroughly opposed to Protectionist principles when applied to commodities they themselves produce? I think they will find that Protectionist views, so far from being relegated

to the limbo they desire to send them to, are rapidly spreading day by day. But I think the entire abolition of a duty like this which produces a very substantial addition to the Revenue, would be an unwise step, and ought not to be taken until the Committee is prepared to substitute for it something which will raise a similar amount to the Revenue. Personally, I would be glad to propose as a substitute a tax upon ready-made goods now imported into this country without paying duty, to the great detriment of the interests of the working classes. With my hon. Friend I protest against our present mischievous fiscal policy, which is utterly repudiated in every part of the entire world, civilised and uncivilised; and I trust that before long it will be in the power of the House of Commons to provide some fair and proper substitute for that which is open to great objection.

(6.14.) MR. LABOUCHERE: The policy of the Chancellor of the Exchequer in regard to currants is next door to Protectionist—it is based upon commercial reciprocity—and, therefore, I should have thought the right hon. Gentleman would have obtained the support of the right hon. Gentleman the Member for Thanet. [Mr. J. LOWTHER: I am going to support him.] Before we quit the question of currants, I should like to ask the Chancellor of the Exchequer whether he really imagines that the consumer in England will gain anything by this reduction. In order to make a good pudding you require currants and raisins. Raisins come from all parts of the world. If you had taken the duty off raisins there would have been a reduction in the price charged to the consumer owing to the competition. But currants come from Greece only; if the vine is taken to any other country it produces a large grape instead of this small grape without stones. The Greeks have the production of currants absolutely in their own hands, and we know they are a very intelligent commercial people; and, if they can, they most undoubtedly will take the whole of the benefit from this reduction without giving us a share in it. The grocers of Northampton asked me to move an Amendment to leave out "May" and insert "August." I do not desire to raise that question now, but perhaps the

*Mr. J. Lowther*

right hon. Gentleman will state whether he has taken into consideration the complaints of a considerable number of grocers in this matter. What they say is, that the stock comes over in September and that they have quantities of currants on hand in the months of May, June, and July. They desire that, as in the case of tea, the reduction in the duty should commence on the 1st August.

(6.20.) MR. ESSLEMONT (Aberdeen, E.): I must say, for myself, I feel certain that the consumer will always benefit in the market by the reduction given in taxation. There is, to my mind, a very strong reason why we should not impose small taxes, namely, the large amount they cost to collect. I think the Chancellor of the Exchequer should take that into consideration.

\*(6.21.) MR. S. BUXTON: This proposed reduction has nothing to do with the question of Fair Trade or Free Trade, for our Custom Duties are imposed for revenue purposes alone. I must say I have been glad to see, in this short discussion, that the Fair Traders are unable to agree on any policy—and that, I hope, is the state of mind in which they will approach every fiscal question. I cannot agree with the hon. Member for Northampton, that if this small duty is abolished the consumer will not get the benefit. He seems to be such an epicure that he requires raisins as well as currants in all his puddings; but I am sure that the great bulk of his fellow citizens do not do that, and that the reduction will be a great boon to them. The Chancellor of the Exchequer has moved in the right direction, and all we ask of him is that he should go a little further and abolish the duty altogether, so as to do away with the expense of collection. I hope the hon. Member opposite will tell with me—though I should not like it to be thought that this Division will have anything to do with so-called "Fair Trader."

(6.22.) MR. O'HANLON (Cavan, E.): I must say I think it a good thing to levy a reasonable tax on currants. They are largely used in London, but it is a fact that the worst kinds of flour can be blended with currants. Currant bread made of bad flour is sold to the poor, and these people, therefore, get no benefit—rather the reverse.

(6.22.) MR. GOSCHEN: It is an error to suppose that currants are consumed by the poorer classes only, as they are in large general consumption. It is not the opinion of the grocers that the Greeks will raise the price of currants because the duty upon them has been remitted. As to the date at which the reduction should come into operation, I have received a great number of communications, and the large majority of my correspondents are in favour of an immediate reduction of the duty. I have given the closest and most careful consideration to the matter, and the course I have proposed seems to me to be the fairest and best which could be adopted in the interests of all concerned.

(6.23.) DR. TANNER: Every Member of the House knows that currants are more consumed by the juvenile portion of the community at certain seasons of the year than they are by adults. And every medical man inside the House and outside it will corroborate me when I say that a large number of deaths annually occur in consequence of and in connection with this consumption of currants. I do not know whether it is the desire of the right hon. Gentleman the Chancellor of the Exchequer to back up the Malthusian theory that the Chief Secretary gave vent to the other day in connection with the congested districts of Ireland, but it certainly seems to me that the course he is taking in cheapening the price of currants is fatal to juveniles. After all, this is a very small matter this tax on currants, and the House at this moment somewhat resembles the mountain in labour bringing forth a mouse. I shall certainly vote for the remission of the clause, inasmuch as I believe that this remission of duty will be of very little benefit to the country, whilst it will prove seriously detrimental to the youthful portion of the community. It will provide them with more currants, and consequently there will be more deaths.

(6.25.) The Committee divided:—Ayes 275; Noes 164.—(Div. List, No. 76.)

Subsequently, Mr. AKERS-DOUGLAS and Mr. PROVAND, the Tellers in the No Lobby in the Division on the Question "That Clause 3 stand part of the Bill," came to the Table and stated that they had,

through inadvertence, reported the number of the Noes as 164 instead of 156, which corresponded with the Division List, and was the proper number upon which they were both agreed.

Whereupon, the Chairman directed the Clerk to correct the number of the Noes in that Division accordingly.

#### Clause 4.

(6.38.) MR. STOREY: Heretofore we have been dealing with clauses which propose remissions of existing duties, and we now come to that part of the Bill which proposes the imposition of new duties. In a very few words I shall urge that this clause be postponed, and I shall give what I hope will be even to the Chancellor of the Exchequer a powerful reason why this course should be adopted. This clause deals with the increase of the duty on spirits. Well, the common practice since I have been a Member of the House has been this: The Chancellor of the Exchequer, in making his Budget Statement, informs the House what the income has been and what his expenditure, and what he proposes to expend in the coming year on the various Services. Then, having told us this, he proceeds to make his suggestions for raising the money to meet this expenditure. But on this occasion the plan of the Chancellor of the Exchequer was entirely different from this. He adopted an unusual and unprecedented course; he gave us his Estimates for the year; he provided for the whole of the money; he left himself with a surplus, and after that he proposed to the House certain additional expenditure, which he was hereafter to ask the House to commit itself to. Now, my objection to this proposal of the Government at this stage is this: that the House has not yet in principle agreed to the expenditure of this money. I believe the Chairman would agree with me if I could appeal to him, which, of course, I cannot, but I do not know that I have need to appeal to any great financial authority. I will ask the Chancellor of the Exchequer whether, in the course of his long and varied experience on the one side or the other, he has known of an instance in which a Chancellor of the Exchequer has proposed to the House a new duty which he admitted he did not need for the service of the year, and



proposed this without first getting the assent of the House to the object of the new duty? For what purpose does the Chancellor of the Exchequer want this additional Spirit Duty? He wants it for the purpose, as he tells us, not of the Public Services for the year, but to hand over large sums to Local Authorities, to be used by them in a manner not yet determined by Parliament. Now my contention is this: According to all usage, according to all principles—certainly the sound principles—of English finance, the granting of the new duty ought to be postponed until the House has determined the principle upon which this duty should be employed. I do not ask for much. The Bill which allocates this fund is set down for Monday next; it is a Bill for providing for the superannuation of the police, or helping to superannuate the police, for helping to compensate publicans, and for helping County Councils by additional grants for local finance. I do not know how it may be as to the opinion of the House upon giving assistance to County Councils; but for myself I am not willing to contribute towards the superannuation of police in boroughs well able to take care of themselves.

**THE CHAIRMAN:** The hon. Member is not entitled to discuss the particular arguments for or against the application of the money, although allusion to it is not precluded.

**MR. STOREY:** I will content myself with saying there is an object to which this money has to be applied, and that object is now under discussion in the country. It has never been discussed in this House; it has not been accepted by this House, nor do I believe it ever will be accepted by this House of Commons. That being so, and putting it as a mere matter of business, I say we should not grant the Executive Government money which we have not ordered the Government to employ. On that, as I think, all sufficient ground, I rest my contention that the clause ought to be postponed. I am not asking for much, because on Monday, according to present arrangement, we shall proceed to the discussion of the Bill which allocates the money. Suppose the House, after discussion, does agree to the application of funds in a particular way, then it will

*Mr. Storey*

be time for the Chancellor of the Exchequer to come to the Committee and ask for this additional Spirit Duty. I am not going into any of the bitter contentions that gather round the imposition of the Spirit Duty on the one hand, or the compensation to publicans on the other. I confine myself to the business-like proposal that this clause shall be postponed (and, of course, this applies to Clauses 5, 6, and 7 also, which deal with the imposition of new taxation) until the House shall come to a determination upon the principle of the application of the new revenue.

Motion made, and Question proposed, "That the Clause be postponed."—(*Mr. Storey.*)

**\*(6.51.) MR. GOSCHEN:** I am sorry I cannot agree with the hon. Gentleman. As I understand him, he rests his contention upon this: that it would be a new principle to vote money, to sanction taxation without sanctioning the principle of the expenditure the taxation is to cover. My reply is that we adopt that course every year. Every year in April, and sometimes earlier, the Budget for the year is voted, while the expenditure has not been voted. There may be large questions of expenditure before the House, but upon which the House has not decided, and yet this has never been used as a reason for not granting the taxation proposed.

**\*MR. STOREY:** I do not wish to interrupt the right hon. Gentleman, but I think he mistakes my point. This is not money necessary for the Services in the year; it is special taxation outside the ordinary requirements of the year.

**\*MR. GOSCHEN:** We must admit there are often large amounts in the Estimates which many hon. Members think are not necessary for the year's Services.

**MR. STOREY:** That is not the point.

**\*MR. GOSCHEN:** I deny that this is not a necessity. It is, on the contrary, a necessity to deal with the superannuation of the police; we look on that as quite as necessary as many other Services included in the Estimates. We are, in principle, following the normal practice of the House. Looking to the amount we propose to expend during the year, we propose taxation to cover the Expenditure, and this is exactly what

we are doing now. Suppose a Bill had not been necessary, and we had simply a Vote in the Estimates for the superannuation of the police, it would equally be the hon. Member's case that the House had not voted this, but we should be following the usual practice in asking the House to vote the necessary taxation, the foundation for which we had made known to the House.

(6.55.) **SIR W. HARCOURT** (Derby) : I am surprised and disappointed that the right hon. Gentleman does not accede to this proposal. Nothing could have been more clear than the statement of the Chancellor of the Exchequer in his Budget speech that there was a Budget for the Service of the year, and then there was a Supplementary Budget. I think he actually used that phrase, but he certainly conveyed that idea. When there was a question of this Bill being brought forward, I remember speaking to the Chancellor of the Exchequer, saying, "I presume the Spirit Duty will be in the Supplementary Bill." As you have a Supplementary Bill, then the taxes to meet it should be included in that Bill. The right hon. Gentleman says that very often the Budget is voted before the financial proposals in the Estimates are accepted, but that is not the question here. The House, before it votes the Budget, is placed in possession of the view of the Government upon the Expenditure of the year, and the Budget is voted upon that basis. But here there is no proposal as to the Expenditure of the year on the Services of the State for which this money is raised ; what is now proposed is that we should impose certain duties on articles of consumption before the House has had an opportunity of considering the purposes to which the money is to be applied. If the Estimates are before us and they affect the imposition of the taxation, of course we can discuss these Estimates in voting the taxation. For instance, if in our view the Army and Navy Estimates are too high, we may discuss this question in voting the taxation required for the purpose. You, by your ruling, Sir, have made it clear, for you have said we may not even allude to the purposes to which this money is to be applied.

**THE CHAIRMAN** : No ; I expressly said that the hon. Member for Sunderland was not entitled to go into the

arguments for or against the proposed appropriation of the money, though he was entitled to allude to it.

**SIR W. HARCOURT** : That strengthens what I have said. Your ruling is more fatal to the clause.

**THE CHAIRMAN** : I was referring to that point in the right hon. Gentleman's speech in which he said I had forbidden allusion to the purposes for which the money is intended.

**SIR WILLIAM HARCOURT** : But in an ordinary Budget proposal we do a great deal more than allude. It has not been the habit in these financial discussions to make allusions simply ; and I am sure, Sir, when, prior to your accession to your present high office, you were Secretary to the Treasury you would have acknowledged that allusion to the Estimates was not sufficient in a Budget discussion. Upon the Budget, when we vote the taxes we do not allude to the objects for which the taxes are voted—we discuss them. If we are of opinion that the expenditure proposed by the Government is improper or is extravagant we may reject it. But here we are actually asked to vote taxes independently of the regular Budget, and are not to be allowed to discuss the objects for which the taxes are raised. I say there is no precedent, or anything like a precedent, in the financial practice of the House for such a proposition. It is most material, as I conceive, when we are asked to vote these taxes, that we should consider whether the purpose to which the money is proposed to be applied is a proper purpose, and that, according to your ruling, Sir, we shall be precluded from doing. The House of Commons would be stultified in its action if it were to be called upon to discuss the question of voting this money with only allusion to the objects for which it is intended, and which, after all, may not be necessary or approved. What is the position in which we are placed by the Government to-day ? Neither the Chancellor of the Exchequer nor the First Lord of the Treasury can quote any precedent for such a course in the financial practice of the House. I defy them to produce any precedent for a tax being voted when the House is not at liberty to discuss it. I do not see what advantage the Government will gain by snatching a decision in an im-

portant question of this kind, which affects the community at large, and by trying to hoodwink, as it were, hon. Gentlemen by shutting them out from discussing an Imperial question. From the nature of the proposals the two things must proceed *pari passu*. The tax and the policy must be decided upon together. The proposal of my hon. Friend seems to me so fair a proposal and so entirely in accordance with all the financial habits of the House that I cannot help hoping that the Government on reconsideration will agree to it.

\*(7.3.) MR. GOSCHEN: I think the right hon. Gentleman should remember that on Monday, when the Government proposed to put their Bill down for Tuesday, objection was taken, and we were asked to give further time for the consideration of the subject. An agreement was then come to across the Table. My right hon. Friend the First Lord of the Treasury then asked whether, if the Government consented to postpone the Bill till Thursday, we might then hope to receive fair treatment. Now, having postponed the Bill, an objection is raised for the first time which might just as well have been raised on Monday, and the non-contentious part of the Bill might have been taken on Tuesday. In these circumstances, I think it is rather hard that the Government should be pressed now. In my judgment the House has before it as complete a statement of the principles of the Government expenditure with reference to the superannuation of the police and the endowment of County Councils as it has in the estimates of the expenditure on other matters.

(7.5.) MR. J. MORLEY: With regard to what took place on Monday night the Chancellor of the Exchequer seems to forget that the Budget Bill was read a second time by an operation which I ventured to characterise then and characterise again as unprecedented on the part of the Government. It is quite true that the First Lord of the Treasury assented to the appeal of the Opposition on the assumption that the conduct of the Opposition would be fair. I then said in reply that the conduct of hon. Gentlemen on this side of the House was always fair; but I declined altogether to enter into any understanding whatever with the right hon. Gentleman, and

*Sir William Harcourt*

declared that the Opposition would reserve to themselves the right of full and complete discussion.

(7.7.) SIR G. CAMPBELL (Kirkcaldy, &c.): I shall vote for the postponement of the clause on the ground that it requires re-casting. We ought to have the courage to put an extra tax on the drinkers of beer as well as on drinkers of whisky, and I therefore think the present proposal a gross injustice.

THE CHAIRMAN: Order, order! The hon. Member is not now discussing the question of the postponement of the clause.

(7.8.) MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I think the speech of my hon. Friend the Member for Sunderland was an excellent speech, and set forth the truth of the case; but, the Motion being made from this side of the House, and opposed by the Chancellor of the Exchequer, it more or less bears the aspect of an ordinary Party question. My opinion is that in the regulation of questions of finance Party considerations ought, as a rule, to be laid aside. But it is out of all common-sense that the House should be called upon to vote a specific sum for a specific purpose altogether new and unknown to previous practice, without being accorded the power of discussing the merits of the application. The contention of my hon. Friend is that the House ought to be allowed to sift and discuss and consider the purposes of a tax before they vote it. The Chancellor of the Exchequer's reply to that is that when the House passes the Taxation Bill under the Budget of the year hon. Members do not absolutely know whether they themselves or the House of Commons will approve every item of the multifarious and multitudinous expenditure.

\*MR. GOSCHEN: That is not my answer. I meant that there might be some large item of expenditure just as important as that before the House, with which the House would have to deal upon the Estimates. I could mention several cases in which money has been raised for a particular purpose before the principle has been decided on by the House.

MR. W. E. GLADSTONE: That is so; but if the House finds it to be its duty to resist a tax it will be in its power to found its resistance upon the nature of

the tax to which the money is to be applied; and so we can discuss the merits of the proposals of the Government in dealing with the taxes of the year. That is exactly what we cannot do now. I think the best speech in favour of the Motion of my hon. Friend was that made by the Chairman. I hope I was not misunderstood, but I could not help uttering a cheer when I heard it, because it appeared to me a capital argument against the proposal now made. I voted with the Government on the last Division, and would have voted with them in this Division if I had thought they were acting in conformity with usage and principle. But they are neither acting in conformity with usage and principle nor in conformity with common-sense. I hold this distinct principle with regard to the general taxation of the country, that when money is voted for the general service of the year it is voted under a legal system completely organised. In so far as the money is not disposed of according to the proposals of the Government it is disposed of by the provisions of the law, and goes towards the reduction of the National Debt. But what is the case of the tax under discussion? On Monday next the House will have to discuss the purposes of the tax; and, to judge from the state of feeling in the country, it is possible that the House of Commons may come to the conclusion that those purposes, or the most important of them, are indefensible. What, then, is to become of the money? The House will have actually voted an imposition on the people when there are no means for its legal application. Why should not the clauses be postponed? What can it matter, as there is no disposition to treat the question except with perfect regularity and fairness? The Chancellor of the Exchequer himself must feel that the subject of compensation is one of enormous weight and of enormous consequence — of enormous weight both as to principle and as to amount. Some of the difficulty in which the House is now placed has arisen out of a provision which the House of Commons found it necessary, about 30 years ago, to adopt in self-defence, namely, to combine together all the taxes of the year. It is most necessary that that principle should be maintained; but it has nothing whatever to do with the

question of a tax, such as the one under consideration, voted for local purposes. It is analogous to the raising of the local rate, and there is no reason why it should be included in the Tax Bill at all. I sympathise with the difficulty of the Chancellor of the Exchequer, who, together with the Revenue Department, very properly wishes to get the Tax Bill voted as soon as possible. Let him, then, include the Compensation Clauses in a separate Bill, against which course there is no reason of principle or convenience. If the right hon. Gentleman succeeds in carrying a vote of this kind in defiance of all usage, he will not find his subsequent path, on the subject of compensation, one whit smoother, or his progress more rapid. The question should be treated simply as a financial question, on which there ought to be no difference of opinion on the two sides of the House; and that method of procedure should be adopted which is obviously dictated both by principle and the expediency of the case.

\*(7.20.) MR. GOSCHEN: I understand the right hon. Gentleman to rest his main contention on the point that the proposals in the clauses cannot be discussed. I confess that I have not been aware that it is not as open to discuss on these clauses the purposes to which the tax is to be applied as it is to discuss any expenditure to be incurred during the course of the year. A new element has been introduced by the ruling to which the right hon. Gentleman has referred; and, under these circumstances, the Government do not wish to force the right hon. Gentleman and his friends to discuss the point. But the Government may appeal to the right hon. Gentleman that, if the purposes to which the tax is to be applied are fully discussed on the Bill to be read a second time on Monday, the same discussion shall not be raised again on the clauses of the Bill before the Committee. If there is some hope that this will be the case, the Government will be disposed to give way to the views of the right hon. Gentleman. The right hon. Gentleman, as well as everyone who has filled the office of Chancellor of the Exchequer, must recognise that there is great inconvenience in postponing Budget proposals. It disturbs trade and all the

interests concerned, and therefore it is the duty of the Government to bring the matter to a conclusion as rapidly as possible. I hope the right hon. Gentleman will use his great influence to insure that the Budget proposals shall not be indefinitely postponed, as may be the case if the whole discussion is to be raised a second time.

(7.24.) **SIR W. HARCOURT**: I am glad to hear so conciliatory a statement from the right hon. Gentleman. The Chancellor of the Exchequer will best facilitate the passing of the Bill if he withdraws from it the compensation clauses and puts them in the other Bill, to which they properly belong. The reason for putting all the taxes into one Bill only applies to taxation for Imperial needs. In this instance you are raising a tax for local purposes, and, surely, the more logical and sensible course is to raise your tax in the Bill which appropriates it. If you do that you will get your Budget Bill through without delay, because it will not be tied up with the compensation controversy.

\*(7.25.) **THE FIRST LORD OF THE TREASURY** (Mr. W. H. SMITH, Strand, Westminster): The Government will be very glad to meet the suggestion of the right hon. Gentleman, but they must adhere to the plan they have adopted. The Government are prepared to postpone the consideration of the clauses until after the Second Reading of the Bill which appropriates the money to be raised under the clauses. I hope that this proposal will recommend itself to right hon. Gentlemen opposite, because, after the question has been fully considered on the Second Reading of the Bill, they cannot wish to raise the same discussion immediately afterwards.

(7.27.) **MR. W. E. GLADSTONE**: I am totally at a loss to understand why these clauses should be included in the Tax Bill. I cannot understand why they should not be included in a separate Bill. Still, I thankfully accept the postponement of the clauses. I certainly shall be no party to any merely obstructive dealing in any stage of business. The separation of the clauses would, I think, be the best solution.

(7.28.) **MR. P. M'DONALD** (Sligo, N.): Will the postponement apply to Clauses 4 to 7 inclusive?

*Mr. Goschen*

**\*MR. W. H. SMITH**: Yes, Sir.

The clause was then postponed, as were also Clauses 5, 6, and 7.

Clauses 8 and 9 agreed to, with some verbal Amendments.

Clause 10.

**MR. DILLON** (Mayo, E.): The duty on tea is a matter in which there is very little interest felt in Ireland, although, I think, the remission is one of which the Irish people will get their full share. I would point out with regard to the remission of duty on gold and silver plate the amount raised is £90,020 in England, while in Scotland it is only £312, and in Ireland £34; consequently the remission will be of no benefit to Ireland, and of very little to Scotland.

**SIR G. CAMPBELL**: I would point to the House that this is one of the few taxes on luxuries, and, as such, I think it might very well have been left to itself; but as the Government propose to remit the tax, and as it will help to further Free Trade between this country and India, I shall not oppose that remission. At the same time, I think the right hon. Gentleman the Chancellor of the Exchequer ought to tell the House what he proposes to do with regard to hall-marking. We should be glad to know where the standard mark is to be applied, and under what circumstances; whether, having applied it in India, the silver wares of that country are to be imported free into this country without the necessity of any hall-marking when they get here? The junior Member for Northampton (Mr. Bradlaugh) has taken great interest in this matter, but I do not see him in his place at the present moment. He has stated that the silver wares of India are of a very fine character and very expensive. With regard to the latter part of that statement I hope the proof will go the other way. For my part, I am inclined to think that, although they are undoubtedly of a very fine character, they are extremely cheap, and if Free Trade can be made to prevail between this country and India a very large trade will result. At the same time, the hon. Member for Northampton is quite right in saying that these articles are of a very delicate character—so delicate, indeed, that in most cases, it would be impossible to impress upon

them any hall-mark without injury. The consequence will be that, supposing them to have been marked in India, if they are to be submitted to the tender mercies of the hall-markers of this country it will be impossible to continue their free importation. Therefore, I think that, inasmuch as I can find nothing in this Bill on the subject of hall-marking, the right hon. Gentleman the Chancellor of the Exchequer ought to tell us what are his proposals with regard to hall-marking. I may add that I confine my desire for information principally to the case of India. I should like him to inform the Committee whether, in case these delicate wares are marked by the Indian Authorities, he will arrange that they shall not be interfered with by the Goldsmiths' Company or by any other hall-marking authority in England. What I want to know is why this hall-marking should not be altogether—

THE CHAIRMAN: I would point out to the hon. Member that the Committee is discussing the Customs and Inland Revenue Bill, and that there is no mention in it of the hall-marking of silver in its provisions. Therefore, to discuss that question is entirely irregular.

SIR G. CAMPBELL: Of course, Sir, I bow to your ruling; and I will conclude by saying I am much against this clause, unless arrangements are made the result of which would be that the operation of the clause would lead to Free Trade in silver.

\*MR. GOSCHEN: In reply to the hon. Gentleman the Member for East Mayo (Mr. Dillon), and the hon. Baronet the Member for Kirkcaldy (Sir G. Campbell), I have to say it is not the intention of the Government to propose any measure for the abolition of compulsory hall-marking; but I may state that we are in communication with the Government of India, and we hope to be able to make successful arrangements with regard to the hall-marking of Indian plate. We know that it would be unsatisfactory to India if we were simply to abolish the Plate Duties without being able to amend the present law with regard to the admission of goods from India. If assay offices should be established in India, under the auspices of the Indian Government, we should be perfectly satisfied, and should not regard it as necessary that the hall-marking

should be repeated here. I am just informed by my right hon. Friend the Under Secretary for India that the establishment of an assay office in India is under consideration, and that, in fact, it is proposed that an assay office should be established there. That being the case, I trust the hon. Gentleman will be satisfied.

SIR G. CAMPBELL: I cannot say that I am entirely satisfied, because I have gathered from what I know of the Government of India that there would be great difficulty in establishing assay offices there. It may be that it is considered the game is not worth the candle.

\*MR. CHILDERS (Edinburgh, S.): I am very grateful to the right hon. Gentleman the Chancellor of the Exchequer for the proposal he has made on this subject, but I should like to ask him a practical question, which is this: We understand that after the present time no duty will be payable on imported silver, but I want to know whether the right hon. Gentleman proposes in any sense to retain imported silver under the charge of the Government?

\*MR. GOSCHEN: I think that the matter must remain very much as it is as long as compulsory hall-marking is continued; but the matter is under consideration.

Clause agreed to.

Clause 11.

MR. H. J. WILSON (York, W.R., Holmfirth): I wish to ask the Chancellor of the Exchequer what interpretation is to be put upon the wording of this clause; whether, for instance, it is intended that goods in the care of a traveller should be treated as goods in stock; also whether goods sent for exhibition, or old goods which are taken back unsold, are to be treated in the same manner and are to receive drawback?

\*MR. GOSCHEN: Travellers' stock not having passed from the manufacturer to the customer, I should presume, would be still regarded as manufacturers' stock, but in that case it must come back from the custody of the traveller into the manufacturers' hands, when it would be entitled to drawback.

MR. MALLOCK (Torquay): I should like to ask the right hon. Gentleman whether a similar drawback to that

which is to be allowed in silver will be allowed on silver plated with gold?

\*MR. GOSCHEN: Silver has always been put upon a different footing, in some respects, to gold. As I have already explained, wedding rings, which form one of the principal items in the gold trade, have never been entitled to drawback in exportation, as is now proposed with regard to silver plate. There may be some hardship in certain cases, but, as in the case of the Tea Duty and the duty on currants, it is impossible to avoid some hardship being entailed on those engaged in the trade.

SIR A. ROLLIT (Islington, S.): I trust the right hon. Gentleman will take this subject into further consideration, and that, if he finds it possible, he will make some arrangement that would give satisfaction to those engaged in the trade, as it is a matter of great importance to a large number of them.

Clause agreed to.

Clause 12.

\*MR. H. J. WILSON: Before moving the longer Amendment which stands in my name, I wish to direct attention to the Amendment of which the Chancellor of the Exchequer has given notice, and to point out that it would occasion serious difficulty by requiring that each article should be weighed. There are some stocks containing as many as 5,000, 6,000, and 7,000 articles, most of them of small weight; and it would be a source of great trouble if the trade were compelled to get the Excise officers to attend at their place of business, and weigh each of those articles before they could be disposed of. I move, therefore, to leave out the word "each," and insert the word "the," in line 7, which would leave it open to them to arrange such a classification of the articles to be dealt with as would be found reasonable.

Amendment proposed, in page 5, line 7, to leave out the word "each," in order to insert the word "the."—(*Mr. H. J. Wilson.*)

THE SECRETARY TO THE TREASURY (MR. JACKSON, Leeds, N.): I cannot see the necessity of omitting the word referred to in the hon. Gentleman's Amendment. We have already, in concert with those engaged in the trade,

*Mr. Mallock*

endeavoured to arrange a limit which I believe will meet the case.

MR. H. J. WILSON: I would point out that the manufacturers complain that it is chiefly the views of the shopkeepers that have been met, and that the views of the manufacturers have not been dealt with at all. I believe the hon. Gentleman has been in communication with a committee of the trade, but the committee only contain the names of two manufacturers, only one of whom manufactures for sale, the other manufacturing entirely for his own purposes, the rest being shopkeepers. The manufacturers in Birmingham say that this proposal would be exceedingly oppressive.

\*MR. GOSCHEN: It is impossible for the Government to accept the hon. Gentleman's Amendment without first knowing the full effect it would have, and, in order to do this, they must consult the officers to whom these matters are entrusted. If the hon. Member will postpone his question to the Report stage, I will, in the meantime, make inquiry with a view of ascertaining whether anything is necessary to be done.

MR. H. J. WILSON: I thank the right hon. Gentleman, and, under the circumstances, will not press my Amendment.

Amendment, by leave, withdrawn.

MR. H. J. WILSON: I now move my Amendment, in line 8, to leave out the words "and the place where this is deposited." But I would point out that the Chancellor of the Exchequer has also given notice of two Amendments, one of which proposes to leave out the words, "the place," while the other proposes to omit the word "deposited." Those engaged in the trade say it is impossible to know where articles are deposited when they are going about the country.

THE CHAIRMAN: Does the hon. Member accept the words put upon the Paper by the Chancellor of the Exchequer?

MR. H. J. WILSON: Yes.

\*MR. GOSCHEN: I think the hon. Gentleman will find that they quite meet his objection.

Amendment proposed, in line 8, to leave out the words "the place" and the word "deposited,"—(*Mr. Chancellor of the Exchequer.*)—Agreed to.

(7.48.) MR. H. J. WILSON: The next Amendment on the same clause, of which I have given notice, has reference to exportation. I use the word "selling" instead of "exporting," and I have taken the word from the sub-section as it stands in the Bill. There is a feeling that the clause of the Chancellor of the Exchequer will cause the greatest difficulty to the trade. As I understand the operation of the Chancellor of the Exchequer's clause, it is that where the manufacturer or wholesale dealer is desiring to sell he has continually to give notice to the Revenue officers of that desire, and those officers would be continually coming to his place of business. What I aim at is to get over a difficulty of that kind, by providing that it should be arranged for the officers to go to the warehouses of the dealers, or to the works of the manufacturers, and there mark the plate, showing that it had been weighed and passed. That having been done, the plate should be at once liberated. An enormous amount of the time of the manufacturers and of the officers would thus be saved. I have letters from 95 per cent. of the trade urging this matter very strongly indeed. The method I propose would be a great convenience to the traders. It is said that my plan does not provide adequate guarantee against the fraud of sending in old plate. I have not had time to go into that subject, but I should have thought the ingenuity of the trade and of the officers would have been sufficient to devise some means of protection.

Amendment proposed, in page 5, after line 17, to insert the words—

"(2.) Provided that if any such person shall be desirous of selling any article of plate of silver belonging to him in respect of which an allowance might be claimed, without losing the right to the allowance he may give to the proper officer of excise twenty-four hours previous notice in writing, setting forth the particulars of, and the weight of silver in, the article to be sold, and such officer shall cause a distinctive mark to be engraved on such article in his presence; and a certificate from such officer of the correctness of the particulars and weight and of due marking sent to the Commissioners shall have the same effect as if an account of such article as forming part of the stock of the person had been taken for the purpose of the allowance under this Act."—(Mr. Henry J. Wilson.)

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Question proposed, "That those words be there inserted."

\*(7.55.) MR. GOSCHEN: There is no limit of weight in the hon. Member's Amendment, and that makes it impossible for me to accept it in the form in which it is put. But the clause has been framed, to a great extent, to meet the views of the hon. Member. It would be quite impossible to apply the method he proposes to numerous small articles in the trade. Of course, the Officers of Inland Revenue will be prepared to consult with representatives of the trade, the only desire being to meet their convenience.

(7.57.) MR. H. J. WILSON: I quite recognise the desire of the Chancellor of the Exchequer to meet the point, but I do not fully understand what is meant by the limit of weight. As I pointed out, the officers, under the clause, would be constantly going to and from the business places.

(7.58.) MR. MUNDELLA (Sheffield, Brightside): The aim of the hon. Gentleman is to prevent giving unnecessary trouble to the manufacturers, and to the officers of the Crown, and my hon. Friend being an eminently practical man in this matter, I should have thought that the Chancellor of the Exchequer might have seen a way to meet the convenience of the manufacturers and the officers.

\*MR. GOSCHEN: The officers of Inland Revenue are in favour of the plan I propose, and, as the hon. Gentleman knows, we must, in these matters, be guided to a great extent by the officers of the Department.

Question put, and negatived.

Amendment proposed, at the end of the clause, to add the words—

"(3.) Provided also, that if any such person shall sell to a person, not being a licensed dealer in plate, any article of plate, or any combination of articles usually sold in a set, or any number of knives, or forks, or spoons, not less than a dozen at one time, and such article, or combination of articles, or knives, or forks, or spoons contain a weight or aggregate weight of silver not less than five ounces, he may, before delivery of the article or articles sold, give to the proper officer of Inland Revenue, notice in writing, setting forth the particulars of and the weight of silver in such article or articles, and his desire that an account of the same should be taken by such officer, so that delivery may not be unduly delayed, and a certificate from such officer of the correctness of the par-

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ticals and weight, and of the fact of sale sent to the Commissioners shall have the same effect as if an account of such article or articles, as forming part of the stock of the person, had been taken for the purpose of the allowance under this Act."—(*The Chancellor of the Exchequer.*)

Question proposed, "That those words be there added."

MR. H. J. WILSON: I beg to move to omit from the Amendment the words "not being a licensed dealer in plate." I do not understand how, with those words in the amendment, it will be possible for a manufacturer to get rid of his stock.

Amendment proposed to the proposed Amendment, in line 1, after the second word "person," to leave out the words not being a licensed dealer in plate."—(*Mr. Henry J. Wilson.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment."

MR. MUNDELLA: I hope the Chancellor of the Exchequer will see his way to accept this Amendment, because the manufacturer sells to licensed dealers and not to private persons who have no licence.

\*MR. GOSCHEN: I understand that if the words are omitted it will be possible for the duty to be paid twice over by different persons. The whole of this provision applies to intermediates. The moment the interval is over the business will go on in the ordinary way.

MR. H. J. WILSON: How long is the interval to be? The last day mentioned in the Bill is September. Already trade is nearly paralysed, and people do not know how to get rid of their stock.

\*MR. GOSCHEN: The amount is to be paid in September, but practically everything is to be arranged in June. It is evident that in all alterations of duty a certain amount of vexation must be caused in all trades. I think this trade has been extremely fortunate in obtaining a drawback; although, here and there, there may be cases of hardship, I think the hon. Member will see that it is scarcely well to push this matter too far.

MR. H. J. WILSON: The interests of a great number of people are deeply concerned in this matter. I understand the right hon. Gentleman to say that the

manufacturers cannot part with their stock to the licensed traders until the end of June.

\*MR. GOSCHEN: No; June is the last date. The whole thing must be arranged by June. I may say we have been in communication with a large number of persons in the trade, and have endeavoured to make arrangements which will suit the convenience of the trade. We are certainly under the impression that the arrangements we have made will be satisfactory.

MR. H. J. WILSON: I believe the right hon. Gentleman has not been in communication with a single manufacturer in the town of Sheffield, which is a very important centre of the plate trade.

(8.7.) The Committee divided—Ayes 140; Noes 94.—(Div. List, No. 77.)

Words added.

Clause, as amended, agreed to.

Clause 13, as amended, agreed to.

Clause 14.

(8.19.) MR. H. J. WILSON: I have given notice of an Amendment to leave out Sub-section I., but if that cannot be accepted I want to move to leave out in line 9, page 6, "payment of the allowances made," for the purpose of substituting the words "certificate is granted." Shall I, Mr. Courtney, move the omission of the sub-section first or the Amendment?

THE CHAIRMAN: The hon. Member should move the Amendment first.

MR. H. J. WILSON: Then I move the omission of the words I have mentioned. I can hardly believe that the right hon. Gentleman the Chancellor of the Exchequer intended what the clause says. I do not know why he should desire the power of search after the Excise officer is satisfied and has given a certificate. It seems hard to expose the manufacturers and dealers to this power of search by carrying it over until the payment of the allowances.

Amendment moved, in page 6, line 9, to leave out the words "payment of the allowance is made," in order to insert the words "certificate is granted."—(*Mr. Henry J. Wilson.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

\*(8.21.) MR. GOSCHEN: I do not see why an officer should waste his time in making the search after payment is made and the whole matter is arranged. It does not seem to me that there need be any fear of these visits being paid. However, I do not think the Amendment can do any harm, and I, therefore, consent to it. Of course if, later on, it should seem to those familiar with these operations that the Amendment is one that should not be retained the matter will have to be re-considered on Report.

(8.21.) MR. MUNDELLA: If the right hon. Gentleman can facilitate the settlement of this matter in any way by introducing an Amendment on Report I hope he will do so.

(8.21.) MR. H. J. WILSON: If the right hon. Gentleman will introduce an Amendment on Report I will withdraw my proposal.

Amendment, by leave, withdrawn.

Clause agreed to.

Clauses 15 and 16 agreed to.

Clause 17.

(8.25.) SIR G. CAMPBELL: What is the class of the articles which are liable to assay? Jewellery, I understand, is not liable; and what I want to know is whether silver articles are liable to be pulled to pieces and assayed before they can be brought into the country?

MR. JACKSON: This is merely a formal clause.

SIR G. CAMPBELL: I know it is formal; but I think I am entitled to ask for an explanation of the point to which I have referred.

\*(8.26.) MR. GOSCHEN: What is reserved here is not the power to assay, but freedom from assay. There is no change in the law.

SIR G. CAMPBELL: May we take it that jewellery, as distinguished from plate, is free from assay, and that silver jewellery is as free as gold jewellery?

\*MR. GOSCHEN: The hon. Member must not take for granted anything more than is in the clause. I might only be misleading him if I were to give him a specific answer to his question. The clause cannot do any harm as it is, seeing that it only maintains an existing principle.

(8.27.) SIR G. CAMPBELL: I look upon the clause as unfortunate, as we shall not have free trade. We shall sacrifice revenue, but not the interests of the monopolists.

MR. BLANE: The clause will have a wide application, as it will cover any misdemeanour or felony which may have been committed—and we must remember the bearing of this upon anyone aiding or assisting the officers of the Inland Revenue. I think that to ask us to believe in the necessity for this is to make a large demand upon our credulity.

\*(8.28.) MR. GOSCHEN: A drawback is going to be given to silversmiths and that may involve a certain cost to them, and what we wish to provide against is the expense incurred in giving the drawback. I see nothing about felony in it.

Clause agreed to.

Clause 18.

(8.29.) MR. BLANE: I feel convinced the Committee will not pass the clause in its present state. It is in this form an impost on thrift and industry, and it will be hard to charge this amount on a large class of poor people who wish to make provision for old age.

\*(8.29.) MR. GOSCHEN: This clause is only to clear up a doubt as to the existing law. It does not provide an increase of duty.

MR. BLANE: I do not say it does impose an increase of duty; but I object to the duty to which it refers.

Clause agreed to.

Clauses 19, 20, and 21 agreed to.

Clause 22.

(9.0.) MR. BLANE: The Amendment which stands in my name to this clause is to omit the words "profits and gains," and my object is to secure that the tax should fall upon what can rightly be described as property; I mean that we should not impose any taxation upon industry.

Amendment proposed, in page 8, line 5, to leave out the words "profits and gains."—(*Mr. Blane.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

\*MR. GOSCHEN: I think the hon. Member scarcely appreciates the practical effect of this. Schedules C, D, and E have no reference to property at all, and I am sure he does not mean to exempt all profits and gains under these Schedules.

Question put, and agreed to.

MR. BLANE: I have to propose the substitution of "ownership" for "occupation" in lines 7 and 8 of page 8. My object simply is to make taxation fall upon those persons in the community who are best able to bear it. At the present time it falls upon those least able to bear it, and practically an immense amount of property in land escapes taxation. Landlords in former times held their lands upon condition that they should defend or contribute towards the defence of the land of the country; but in a Parliament composed of landlords the burden was adroitly shifted from this class on to the shoulders of those least able to bear it. Statute 12 of Charles II., cap. 24, was slightly amended by the subsequent Act of 1692, but practically the Land Tax remains as it was in 1660. The predecessors of those who are now owners of land were not "owners" of land but "holders" of land, and in lieu of the obligation of defence, upon which condition they held the lands, they charged themselves 4s. in the £1 towards Imperial taxation; but subsequently, and in successive Parliaments, they have lowered it to what we find it now—6d. It shows that landlords are very modest men when it comes to claiming their share in taxation. By reason of this exemption of land the burden of taxation is upheld by the industry of the country.

THE CHAIRMAN: I do not think the hon. Member is quite aware of the nature of the Amendment he proposes to move to the clause we are dealing with. It is a tax upon farmer's profits under former Acts of Parliament, and only provides the rate of the tax.

MR. BLANE: Quite so, Sir; but I, in moving the insertion of the word "ownership," am entitled to show how then the tax would fall.

\*MR. GOSCHEN: If the hon. Member will excuse me for interrupting him, the owner pays under Schedule A; the farmer's profits are assessed under Schedule B. With the hon. Member's

Amendment the owner would be required to pay on his land as well as on the profits of the occupier. I do not know whether the hon. Member appreciates this?

MR. BLANE: Quite so; he pays taxes on two separate items if my Amendment is carried. The owner would pay twice, but he would not be handing away his own money; he would only be handing away with his right hand that which he appropriates with his left. There are two ways of acquiring property, either by earning it or appropriating it. But these men do not pay taxes at all on—

\*MR. GOSCHEN: Will the hon. Member allow me to point out that if a tenant farmer has not made any profit, he is not called upon to pay the taxes for which he is assessed under Schedule B.

MR. BLANE: If the tax falls on the tenant at all, it is a tax on the industry of the country, and to the taxation of the industry of the country I am opposed, and hence it is, I propose to substitute ownership for occupation. At the present time, the owner does not get the profit; it is the great ground landlord who gets the profit, and so it comes about that people are swept away from the land into large towns, where they have to engage in fierce competition for a bare existence. One of our financial journals has well discussed this question, and shown how this freedom of the land from taxation is a prime cause of the pauperism in the country. As the writer points out, a solution of the difficulty would be found in the acquisition of lands, at nominal value, by authorities empowered to allocate such lands to those able to work and procure a livelihood from them, subjecting these and all other lands to the 4s. tax. Thus would rates and rents both be reduced.

Amendment proposed, in page 8, lines 7 and 8, to leave out "occupation," and insert "ownership."—(*Mr. Blane.*)

Question proposed, "That the word 'occupation' stand part of the Clause."

Question put, and agreed to.

MR. T. FRY (Darlington): Before we pass from the clause, I wish to ask the right hon. Gentleman a question in reference to the rebate allowed for insurance. There are certain American

Insurance Companies carrying on business in this country who make their reports to the Board of Trade, and are in every way amenable to the laws that govern insurance in this country, and yet the Commissioners will not allow these companies to be placed on the list of those for which rebate on Income Tax assessments is allowed. This amounts to a tax of  $2\frac{1}{2}$  per cent. on the premiums of these companies, by whom it is regarded as a great hardship. This question has been raised on several occasions, and when I last heard of it it was under consideration. Has the consideration had any result? What is the ground of the refusal?

\*MR. GOSCHEN: I can assure the hon. Gentleman the question is not one of administration, but of legal interpretation. There are statutes which direct the action of the Commissioners, and I am given to understand that the point, which I know has excited much interest, is now being argued in a Court of Law.

MR. T. FRY: May I ask the right hon. Gentleman, if the decision should be adverse to the claims of these companies, will he be prepared to take steps towards a legislative remedy for the complaint?

\*MR. GOSCHEN: I am not prepared to undertake that. I can assure the hon. Member there is much to be said on both sides.

\*MR. MORTON (Peterborough): May I ask the Chancellor of the Exchequer why it is that the gross estimate is taken as the annual value? For all local rates there is another assessment, or what is called the rateable value. A good deal of trouble is caused to the taxpayers in consequence of this distinction.

\*MR. GOSCHEN: The hon. Member raises an immense question involving a modification of the produce of the tax and its relation to taxation generally. The hon. Gentleman asks me why it is that the tax is so levied, but I am afraid I can only now refer him to his knowledge of the fact. It is a grievance that is often alleged by the owners of real property,

but it is a matter of such very wide scope that I can scarcely do justice to it merely by answering a question. It was calculated, I think, by the right hon. Gentleman the Member for Mid Lothian that in many cases the difference between the rateable and gross value amounted to as much as 17 or 18 per cent. This grievance, under which owners of real property labour, must be set against the advantage they gain under the Succession Duty. If, as regards Succession Duty, realty should be put on the same basis as personalty, then the time will come when realty should be put on the same footing as personalty as regards Income Tax.

\*MR. MORTON: I am aware that the change in the assessment would involve a loss to the Exchequer, but it would be a justice to the taxpayers. Of course, the same remark applies to the Inhabited House Duty, which is charged on the same value. But may I ask the right hon. Gentleman to give the subject his consideration?

\*MR. GOSCHEN: I may say that I have often considered it and spoken upon it. It is a matter of great importance. I can promise the hon. Member it shall continue to occupy my consideration, and not without some hope that it may be possible to deal with it some day.

Clause agreed to.

Clause 23.

(9.17.) MR. T. M. HEALY: I hope the Chancellor of the Exchequer may accept the Amendment of which I have given notice, and I need not detain the Committee at any length. It is not often that opinions expressed in this part of the House are regarded as moderate by hon. Gentleman opposite, but when, as between the proposal in the Bill for a period of three months and the opinion among many hon. Members opposite that it should be extended to 12, I suggest six months, I think it is a reasonable compromise. Then I would suggest that there should be an appeal from the Commissioners to some other tribunal. I do not say that the Commissioners are not excellent men, but I am sure that farmers and business men who are entitled to relief from taxation on account of losses incurred will have more

confidence in the consideration their claims will receive with the knowledge that an appeal is open to them. As to the period I think we shall all agree that three months is too short. I do not know exactly what is meant by the expression "year of assessment." I am not sure when the year is supposed to commence. But it is impossible for me to say, within three months, how trade transactions may turn out, nor can a farmer say as to his crops, which may be all right one day but spoiled the next. So, also, in the brewing trade, a man cannot tell within a short period whether his whole brew may not turn out an entire loss. Three months is an inadequate period. The Ratepayers' Association want 12 months, but I think the Government are more likely to concede the compromise I suggest of six months.

Amendment proposed, in page 8, line 23, to leave out the word "three," and insert the word "six."—(*Mr. T. M. Healy.*)

Question proposed, "That the word 'three' stand part of the Clause."

\* (9.21.) *SIR E. BIRKBECK* (Norfolk, E.): I hope my right hon. Friend will agree to this modification of the clause. What the hon. Member says is perfectly true. I am sure that, within so short a time, it is quite impossible for a large number of persons to obtain the relief they are entitled to, because it will not be possible to get the accounts definitely made up. The hon. Member has proposed six months, but I would go much further. It is impossible for those engaged in agriculture to know within a limited time what their losses are—profits they do not make nowadays. I would strongly urge my right hon. Friend to agree to the proposal.

(9.22.) *MR. CRAIG* (Newcastle-upon-Tyne): Perhaps the right hon. Gentleman will explain what is meant by the year of assessment.

\* (9.22.) *MR. GOSCHEN*: The year ending March 31st. This is really a case of "looking a gift horse in the mouth." It was a concession often demanded, and, being made, gave great satisfaction at the moment. But then the hon. Member has raised a new question. I do not complain of the proposal for six months, but he has mixed it up

*Mr. T. M. Healy*

with the question of an appeal. That is important, no doubt, but it does not arise here, and I hope he will not ask me to deal with it now. Three months was the time inserted, because it is the usual period for various Departments in respect to Income Tax, but if hon. Members attach importance to it, I have no objection to six months. We are anxious that traders should have the means of relief—it is merely a question of machinery—we only took three months as being the usual time in analogous cases.

Question put, and negatived.

Question "That the word 'six' be there inserted," put, and agreed to.

Question proposed, "That Clause 23, as amended, be added to the Bill."

(9.28.) *MR. T. M. HEALY*: Of course we take the warning and must not look a gift Chancellor of the Exchequer in the mouth. I refrain from saying anything about an appeal, but perhaps another year, when the right hon. Gentleman has had some experience of how the change works, he will not blame us—should he be in office, which, with all respect to him, I hope he may not be—if we raise this question of appeal.

Clause, as amended, agreed to.

Clause 24.

\* (9.29.) *MR. SYDNEY BUXTON*: I must apologise for not putting my Amendment on the Paper, but, anticipating we should have a lively night upon the Spirit Duties, I did not think this part of the Bill would have been reached so early. The effect of the clause, so far as I can see, is to make an addition to the Death Duty, because a person is to be assessed for Income Tax after his death. It is to be left over for a period of a year, when he, not living, derives no benefit from the expenditure of the Income Tax. If that is not so, then I should be glad of an explanation. It also imposes an indefinite liability, extending over an indefinite period, upon the executor of the deceased. I propose to limit the period of the assessment to that during which the deceased was living, and, secondly, I shall propose that the claim made shall extend over a period of a year, in order that an executor may

have some idea as to the extent of the time of his liability.

Amendment proposed, in page 9, line 11, after the word "administrators," to insert the words "but for such period only of the financial year as the deceased was living."—(*Mr. Sydney Buxton.*)

Question proposed, "That those words be there inserted."

\*(9.30.) MR. GOSCHEN: All that is proposed under this clause is, that when a person has died without being assessed such an assessment as might have been made if he had lived may be made upon his executors. The Amendment is quite unnecessary.

(9.32.) MR. CRAIG: I do not think the right hon. Gentleman's explanation advances the question very much. Any one reading the clause and knowing the habits of the Revenue officers might think—I do not say rightly, but might think—that the intention is to make the executors of a man who dies, say, on the 1st of May, pay a whole year's Income Tax. If that be the meaning I hope the Committee will either accept the Amendment or exclude the clause entirely. It is quite a new provision. The Income Tax officers always take advantage of the Act, especially in the case of dead persons. They always try to screw out of the executors more than they are entitled to. I want to know what is the meaning of the clause, and how it will operate.

\*(9.34.) MR. GOSCHEN: I am sorry I did not make my meaning clear. The clause is merely intended to rectify omissions. If an assessment has not been made during the life of a man, the clause provides that his estate shall not obtain any advantage from the neglect to make the assessment. I do not think the Committee would wish that the fact of a man not having been assessed should free the estate from the Income Tax.

\*(9.35.) MR. H. H. FOWLER (Wolverhampton, E.): I quite concur in the necessity of the course the right hon. Gentleman desires to follow, but I do not think the clause, as worded, will really carry out his intention. I understand the right hon. Gentleman to mean that if a man dies between, say, the 5th of April, 1890, and the 5th April, 1891, and no assessment has been made upon him

for the portion of the year during which he may have earned his income, executors shall pay Income Tax in respect of that portion of the year. If that be the meaning, there can be no two opinions about it, because unless that intention be carried out there would be an evasion of the duty. But I would point out that the clause does not carry out that intention, and it seems to me we should be opening the door to great difficulties if the present wording were adopted. If the right hon. Gentleman will submit this question to the draftsman of the Treasury, all mistakes will be avoided. I would also draw attention to the fact that this is retrospective legislation, which might affect a great many estates which have been wound up, and the property of which has been distributed. Some alteration is, therefore, required in this respect also.

(9.38.) MR. GEDGE (Stockport): When I first read this clause the same objections occurred to me as have been stated by Gentlemen on the opposite side of the House; but I took the trouble to obtain an explanation from the Surveyor of Income Tax in my district, and I also looked up the Act. I then came to the conclusion that I had been mistaken, and that the clause properly carries out the intention of the Government. Under the law, as it stands at present, the executors of a man who, if he had lived, would be liable to be surcharged, cannot be surcharged. This clause will remedy that defect of the law. I may say now—to avoid the necessity of rising a second time—that there is an objection to the last four lines of the clause. We are told that the amount is to be paid out of the estate, and that, in default, the executors will have to pay—and that is making the executors liable for an amount which may be beyond the sum in their hands. That ought not to be. Words should be inserted in the clause to make the estate liable, and not the executors.

\*(9.42.) MR. GOSCHEN: The question before the Committee will be looked into, so as to see whether the executors should be held liable for anything above the amount which the estate is capable of yielding. The Exchequer has the common interest at heart; it is not the enemy of anyone, and I trust that no one

will look upon it as a thing to be opposed, even should it make a mistake. Supposing a mistake to be made, that should not relieve the estate from liability, and the only object of the clause is to enable property to be assessed, which has not been, but which ought to be, assessed. I will undertake that the Solicitor General and other Legal Authorities shall be consulted, and that, so far as legal knowledge can do it, the clause shall not be carried beyond the necessities of the case.

(9.45.) **SIR W. HARCOURT:** It seems to me that the words in the clause "in case he was living" will make an estate liable to pay Income Tax not only for the portion of the financial year during which the person assessed is living, but for the part after his decease. An ordinary person would suppose that on a man dying, his income would be assessed only for the period during which he had lived, and not for the whole year, regardless of the length of time he had lived during the year.

\*(9.46.) **MR. SYDNEY BUXTON:** The Chancellor of the Exchequer has met us very fairly in this proposal; therefore, I will not press my Amendment. If I understand the right hon. Gentleman aright, he will submit the matter to the Law Officers of the Crown.

Amendment, by leave, withdrawn.

**MR. T. M. HEALY:** The proper course would be to withdraw the clause.

(9.46.) **MR. FLYNN:** No doubt it would be an easy thing to assess, under this clause, the income of a wealthy business man whose books have been accurately kept, and, in the case of default, if the collector is to blame, seeing that he is a Government servant, I think the loss should be borne by the Treasury. There are many people who do not keep books, and in such cases probably the only man who would have been able to give the necessary information would have been the deceased. These cases, which have not been urged on the right hon. Gentleman the Chancellor of the Exchequer, are worthy of consideration. I would support the proposition of my hon. and learned Friend that the clause should be withdrawn, on the understanding that on the Report stage the matter will be

*Mr. Goschen*

put in a clear and intelligible form by the Chancellor of the Exchequer.

(9.49.) **MR. GROTRIAN** (Hull, East): The question of the power of the Income Tax Commissioners or Surveyors of Taxes to assess retrospectively should be looked into. I am not sure that it extends to one year, and if that is the case I know instances in which the law has been overstepped. I know of cases where the assessors have gone back 10 years. I would ask for an assurance as to what the law really is, and if there is a doubt about it I would ask that the clause should be amended so as to make the retrospective power one year.

\*(9.50.) **MR. JACKSON:** The point under discussion is met by what my right hon. Friend has said. There is at present power to proceed against the executor for Income Tax in the event of the person from whom the money is due and who has died having been duly assessed. There is no power in the event of the assessment not having been made to assess for the full amount which may be due, and all that is intended by this clause is to give power to proceed against the executor in such a case—such power as there would have been to proceed against the deceased had he been alive. Any difficulty there may be, so far as justice to the executor is concerned, will, as my right hon. Friend has said, be duly considered.

(9.52.) **MR. FLYNN:** I would ask the hon. Member to take into view a case that might easily occur. The right hon. Gentleman says the clause is to provide for the assessment of a man who ought to have been assessed, but has not been. Well, supposing a man dies who has not been assessed for a number of years, but is assessed the year of his decease. There may be nobody left behind to give evidence as to the income of the deceased. What should be done in that case? Generally speaking, no difficulty would arise in the case of people having large incomes, and there is no danger in those instances of executors being surcharged. In Ireland, however, there are a danger of a large number of persons being wrongfully assessed, and of executors having to pay large sums which they ought not to be called upon to pay; and I maintain that if there is neglect of duty on the part of Government

officials to make a proper assessment, any loss that may result should fall upon the Exchequer.

\*(9.55.) MR. KIMBER (Wandsworth): I think the difficulty in this case might be met by leaving out the last four lines of the clause.

• MR. T. M. HEALY: I protest against this clause. The Secretary to the Treasury has let the cat out of the bag in saying that the power to be conferred by this clause is to have effect when the Income Tax has not been properly assessed.

MR. JACKSON: I said duly assessed.

MR. T. M. HEALY: Well, I say that if you have failed to make arrangements to get the money when the assessment is completed you ought not to have it. If you have the income duly assessed you should get the money, but if the income is not duly assessed you should go without the money. I would ask the Solicitor General, whom I see opposite, what he thinks of the proposal to charge an executor with the Income Tax of a deceased person who has not been duly assessed? Would the charitable gentlemen who conduct these operations on behalf of the Treasury expect the executor to stump up? Supposing the executor is a poor man, if a charge which he deems unjust is made he will object to pay, and will go to an attorney, who will advise him to fight the matter, and, if he does so, he may have to pay £50 or £60 in costs in regard to a claim of £10. Surely nothing more oppressive could be imagined. If all executors were rich men there would not be so much to complain of, but such is not the case, and I hold that by your proposal not only will the life of an administrator be rendered a terror, but death itself will be made a terror to him. You are going a length with this Income Tax which has never yet been suggested. The point raised by my hon. Friend has not yet been answered. An executor who, from charitable conscientious motives, acts on behalf of a defenceless widow and children, may be let in for a large bill of costs—an Attorney General or Solicitor General having, perhaps, been engaged to argue a matter of principle against him. This clause involves gross injustice both to the living and the dead, and, there-

fore, I think it should be omitted from the Bill.

\*(9.59.) MR. T. H. BOLTON (St. Pancras, North): It seems to me that the powers contained in this clause might operate oppressively and unfairly. If an executor is to be personally liable, it will, no doubt, be desirable to have an official paid executor, as is proposed in another Bill shortly to come before the House, because if you have a law of this kind it will be found very difficult to get men to act as executors. I would suggest to the right hon. Gentleman that he should go further than he has indicated, and put a limit to the time within which a claim can be made, so that an executor may not have a possible claim for unpaid Income Tax hanging over him for an unreasonable time.

\*(10.0.) MR. GOSCHEN: I have said that I will deal with this point. The Inland Revenue officers, in doing their duty, think that there is a certain loss of duty which ought not to occur in the distribution of estates. These cases rarely occur, but it is the duty of the Inland Revenue officers to see that they shut the door on all possible evasions. I am, however, prepared to postpone the clause, hoping that when the question is submitted to the House they will support the Exchequer in this matter.

Question, "That the Clause be postponed," put, and agreed to.

Clause 25.

(10.2.) MR. BLANE: I beg to move, in page 9, lines 24 and 25, to leave out "two-pence," and insert "one penny." The object of the Amendment is to relieve the occupier of the tax, which, properly, ought to be paid by the landlords, for the homesteads do not belong to the occupier, but the Duke of Norfolk, the Duke of Bedford, the Duke of Westminster, and others. That the occupiers and not these men should be charged with the duty is, to my mind, an iniquity.

Amendment proposed, page 9, line 24-25, to leave out the word "two-pence" and insert the words "one penny."—(Mr. Blane.)

Question proposed, "That the word 'two-pence' stand part of the Clause."



\*(10.4.) SIR STAFFORD NORTH-COTE (Exeter): I should like to say a few words as regards the Inhabited House Duty. I presume that the Chancellor of the Exchequer will not accept this Amendment, but I wish to call the attention of the right hon. Gentleman to a Memorial which I presented from my own constituents on behalf of a class of men who may be said to have got beyond their first black coat, namely, those traders who are rated for premises which are to all intents and purposes unoccupied. In that constituency there is a leading firm who have three buildings—one shop and two warehouses. The two rooms above the shop are occupied by assistants, and the two warehouses have separate party walls and separate entrances. They are totally and absolutely disconnected from the shop. The shop is rented at £300, and the warehouses at £270 and £180. Now, the owners are already paying duty for their own private residences, and they claim that the accommodation of their assistants, for which they are taxed, is a business expense, and part of the assistant's salary. That they are taxed for the warehouses is a matter which they feel very keenly. There are a number of similar cases with which I will not trouble the Committee, but I think I have stated a fair case for my right hon. Friend to entertain. I am very grateful to him for the relief he has given the small owners of inhabited houses, but I do hope he will be able to consider cases such as I have brought before him. I trust that during the discussion of this clause he will be able to give us some satisfactory assurance that he will consider the subject next year.

\*(10.8.) MR. GOSCHEN: I am afraid that I cannot pledge myself to any dealing with the House Tax next year. I quite understand the difficulty which the hon. Member's constituents feel, but it is impossible to see where the reform will stop, short of that total abolition of the House Duty to which the right hon. Gentleman the Member for Derby referred the other day. [*Cheers.*] I am glad to hear from that cheer that the abolition of the House Duty is not held as a boon to the landlords, as some hon. Gentlemen opposite maintain it would be. With regard to the Amendment to

reduce the duty on houses under £40 to 1d., I cannot go beyond the concession which I have proposed to the House. It is an important concession, which I hope the House will appreciate.

Question put, and agreed to.

(10.11.) MR. DILLON: Sir, before the clause is passed I wish to make some observations as to the manner in which the Chancellor of the Exchequer disposes of his surplus. Naturally, the Bill is not unpopular with English Members, but the more the Irish Members study it the more they dislike it. The surplus is raised from the one particular class of tax to which the Irish people contribute more than their fair proportion, and it is used for the reduction of a class of taxation from which the Irish people got no benefit whatever. I protest against the nature of these remissions, as being little short of an outrage and a robbery of the Irish people. We have come to the last of the remissions, and, according to a Return issued yesterday, Ireland obtains absolutely no benefit whatever. There is an enormous consumption of currants in England, and Ireland does not eat one-sixtieth part of what is consumed here. Ireland gets no benefit from that remission, nor does she benefit by the remission on silver plate. Then, again, as to the Inhabited House Duty, the remission is to be given to England. Is it reasonable to expect the Representatives for Ireland to accept a Budget of this kind in silence? Ireland contributes considerably more than her fair proportion of the surplus, and she only gets one-thirteenth part of the relief, whereas, according to Mr. Giffen's statement, her proper proportion would be one-tenth. The surplus has come from the increased consumption of various kinds of wines and spirits. On all kinds of drink, including beer and foreign and home spirits, the amount contributed by Great Britain is less than £22,000,000, while the contribution of Ireland was over £4,000,000, so that Ireland contributes between one-sixth and one-fifth, while they do not get 1-20th of the remission. I will say no more at present. I have only thought it my duty to make this protest against the Inhabited House Duty, not because I regard it as unfair

to the people of England, but that I consider it unjust to the people of Ireland; and I warn the Chancellor of the Exchequer that we shall feel it our duty at a further stage of the Bill to raise the whole question of the way in which Ireland is being treated by this measure.

\*(10.16.) MR. GOSCHEN: I think if the hon. Member opposite were to examine the grievances he alleges he will find that they come to this, namely, that we have not reduced the duty on spirits in Ireland, because I do not know that there is any other way in which we could meet the complaints he makes.

MR. DILLON: Yes, by reducing the duty on tobacco.

\*MR. GOSCHEN: But if we had done that, the same arguments would have been used against the proposal as have been used with regard to the reduction of the Tea Duty.

MR. DILLON: Not at all; the right hon. gentleman will find that the Irish people pay a much larger proportion of the Tobacco Duty than any other portion of the community.

\*MR. GOSCHEN: The hon. Gentleman forgets that a large proportion of the tobacco consumed in Ireland is consumed and paid for by English people.

MR. DILLON: I am speaking from tables which have been corrected by allowance being made for that.

\*MR. GOSCHEN: The hon. Gentleman is the first person who has suggested the reduction of the Tobacco Duty, and apart from that, or a reduction of the Spirit Duty, there is no way in which we could have met the right hon. Gentleman's views. If we had reduced the Income Tax, the hon. Member would have made a similar complaint, and that was one of the alternative proposals which I have been censured for not adopting. Had I proposed a reduction of the Income Tax, the hon. Gentleman would have had the same grievance as now. It is impossible, in dealing with the whole fiscal situation of the Kingdom, to look simply at the condition of Ireland. If Ireland has not had full advantage in the reduction of taxation, we are making it up to her in other ways. With regard to the Tobacco Duty I would remind the hon. Gentleman that I did reduce that some time ago, and it is too much to

expect that we should go back to that duty again. I venture to think, whatever hon. Members may say, that I have not been chary in affording such relief to Ireland as might be reasonably expected at our hands. In all the fiscal changes we have made we have abstained from any remissions of which Ireland could not have full share. The Chancellor of the Exchequer has an exceedingly difficult task to perform, and I hope hon. Members will not think I have selected the reduction of House Duty because that is a relief in which Ireland would not share, although the hon. Member has almost suggested that I have done so. Fortunately for Ireland, she is relieved from this tax, but as I shall have to meet the Irish Members on the question of the general taxation of Ireland on another occasion, I will not now further continue the observations, and I trust hon. Members opposite will not think it desirable to plunge into that discussion at the present moment.

(10.20.) MR. DILLON: I do not wish to go into the whole question, but I would refer the right hon. Gentleman to the Return obtained by the right hon. Gentleman the Member for Newcastle, showing the proportions of the several items of Revenue contributed by England and Ireland. On that Return it will be found that while England contributed £6,500,000 of Tobacco Duty, Ireland's contribution was £1,300,000, that is to say, that the Irish contributed one-fifth of the amount paid by the people of England, which is a far larger proportion than they ought to pay. The right hon. Gentleman has said, if he had reduced the Income Tax the Irish people would have had a similar grievance. So we should, because the Income Tax contributed by Ireland is only one-twentieth part of that paid by England, which shows that the Irish people are only one-twentieth part as rich as the people of Great Britain. What I complain of is that the Chancellor of the Exchequer derives an enormous surplus from a tax to which the Irish people contribute more than their share; and he has not given them back their fair proportion in the shape of a corresponding reduction of the duty on tobacco, which is pre-eminently a tax on the poor of Ireland.

(10.23.) MR. J. O'CONNOR (Tipperary, S.): The right hon. Gentleman the Chancellor of the Exchequer boasts that he has generously given to Ireland a large sum. What are the facts? He has given one sum of £4,000, which he has carefully tied up, and £70,000 for National Education.

\*MR. GOSCHEN: I would point out that in those cases there could be no generosity at all, because Ireland is entitled to those allowances. But the hon. Member does not refer to the light railways.

MR. J. O'CONNOR: We shall have something to say about the light railways hereafter, and the manner in which it is intended to expend the money. As to the Tea Duty, it is calculated that Ireland will benefit to the extent of £105,000 a year; but what the right hon. Gentleman gives with one hand he takes away with the other, because the increased Spirit Duty will increase the taxation of Ireland by upwards of £106,000. As to the Tea Duty, that is given out of the surplus extracted from our staple manufacture, namely, Irish whisky. Therefore, there is no ground for the boast of the right hon. Gentleman. If he will refer to the Tables which have just been published, he will see that the money raised by the Excise and Customs on licences amounts to £28,000,000 for Great Britain, while—

THE CHAIRMAN: Order, order! The Question under discussion is Clause 25, which makes provision for the Inhabited House Duty, and the hon. Member is wandering from that Question.

MR. J. O'CONNOR: I am aware of that; but the Chancellor of the Exchequer has boasted of his generosity to Ireland, and I thought I was entitled to answer him by reference to these facts. I only desire to say that while the licences produce £28,000,000 in Great Britain, or £1 per head of the population, the taxation raised from the same sources in Ireland amounts to about £5,000,000, which is also about £1 per head, which is contrary to the maxim of finance, that the incidence of taxation should fall with greater weight on those who are best able to pay.

(10.26.) MR. T. M. HEALY: I only wish to say a few words. My hon. Friend contends that the Irish people are being robbed, and if that be the case they are being robbed by the Imperial Government, who say, "We belong to the bigger country and we do as we please." We are told that we enjoy the benefits of the Army and Navy and Volunteers, and we are also aware that we enjoy the great privilege of having the Union Jack floating over us, and of being ruled by the right hon. Gentleman the Chief Secretary for Ireland.

Clause agreed to.

Clause 26.

(10.28.) MR. STOREY: In moving, as an Amendment, to substitute the word "used" for the word "constructed," I would remind the Committee that the right hon. Gentleman the Chancellor of the Exchequer has said we ought not to look a gift horse in the mouth. I shall at once disclaim any such intention by saying that I thank the right hon. Gentleman on behalf of myself and constituents for the reduction he has made in the House Duty. It is a reduction that has been long looked for, and at length it is in part obtained. I hope the right hon. Gentleman will not think I am acting wrongfully if, like Oliver Twist, I ask for more. I am not asking, as Oliver did, for what was not his, but for what is not only ours, but what the Chancellor of the Exchequer has already promised to give. I say it is ours, because the owners of houses and tenements never ought to have had to pay House Duty. It was never intended by the original Act that they should, and it has been levied upon them improperly during a long series of years in utter defiance of the law. The right hon. Gentleman the present leader of this House, when on the Opposition side, said—

"That it was contrary to the spirit of the Act of Parliament by which it was intended that separate tenements of below £20 annual value should be exempted from the tax."

And I believe the Chancellor of the Exchequer did intend to exempt those houses; but the 2nd sub-section of the clause does not carry this intention out, and therefore does not touch the case of hundreds of thousands of houses in this country. We in the

North have ways of our own, and one of our ways is that we have large numbers of houses in our towns which used to be occupied in single tenements, but which are now let out in flats. The tenants all use one front door, and as a consequence the landlord has to pay the Inhabited House Duty. Yet on the other side of the street may be found a row of cottages which are each let at under £20 per annum, and which consequently are exempted from payment of the Inhabited House Duty. Now I think that the Chancellor of the Exchequer should grant some relief in these cases. I beg, without further remarks, to move the Amendment in my name, to insert after the word "House," the word "used." I think the adoption of this Amendment would assist in providing dwellings for the working-classes. I do not think that there is any danger we should be encouraging rookeries, because a duty is imposed on the Medical Officer of Health to certify that the houses are fit for human habitation. I beg to move my Amendment.

Amendment proposed, in page 10, line 13, after the word "house," to insert the word "used."—(*Mr. Storey.*)

Question proposed, "That the word 'used' be there inserted."

(10.38.) *SIR C. RUSSELL* (Hackney, S.): I wish to remind the Chancellor of the Exchequer that a large number of Metropolitan Members are interested in this matter.

(10.39.) *MR. HUNTER* (Aberdeen, N.): May I point out that the wording of the clause as it stands is neither sense nor grammar? It reads—

"The assessment to Inhabited House Duty of any house constructed (whether as originally built or by subsequent alteration)," &c.

I do not know who is the draughtsman of the Bill; but unless we want to put a conundrum to the Judges we must alter the words.

\*(10.41.) *MR. GOSCHEN*: I am quite clear as to the policy which ought to be adopted. The concession ought only to be given to those houses which, by original construction or by subsequent alteration, are adapted to the housing of the working classes. The deputation which has waited on me was largely composed of owners of very inferior property, who

frankly admit that they wish to get the benefit of the exemption for themselves. The Government do not wish to grant relief to cases where the house, designed for single occupation, has been so patched up as to supply inferior and inadequate accommodation for the working-classes. In the North of England a large number of private houses have been changed into dwellings for artisans, and there can be in them no proper sanitary accommodation. The only effect of the concession asked for would be to put the remission into the pockets of the landlords. The Government wish to encourage the building of suitable artisans' dwellings, by exempting only such from the duty.

(10.45.) *MR. STOREY*: I also desire to see the working-classes properly housed; and I am as anxious as the right hon. Gentleman that rookeries should be rooted out, and if I had thought the Amendment would have a contrary effect I would not have suggested it. The Chancellor of the Exchequer says these people want to put money into their pockets; but the right hon. Gentleman has been taking money out of their pockets unfairly and against the spirit of the Act of Parliament. There are hundreds of decent houses in the North, fit for the habitation of the working-classes, which will not be relieved by this clause. I must press this matter, because it amounts to a very serious grievance in my own town. The burden, in fact, runs up to hundreds and thousands of pounds; and if the Secretary to the Treasury will only visit Sunderland—I can promise him he will be courteously received and courteously sent away—we shall be able to convince him of the real nature of this hardship. I make this appeal in the interests of the working classes. If the owner of three cottages is not called upon to pay Inhabited House Duty, why, I should like to know, must the duty be paid by the owner of a house which is let out to three working class families?

\**MR. GOSCHEN*: Because one lives in a house and the other does not.

*MR. STOREY*: Oh, yes, he does; he lives in a house according to Act of Parliament. I press this matter, because it is a case of serious hardship.

(10.52.) MR. CRAIG: The arguments which apply to Sunderland apply with equal force to Newcastle; and I therefore join heartily in the appeal made by my hon. Friend to the Chancellor of the Exchequer in the interests of the working classes.

(10.53.) MR. JESSE COLLINGS (Birmingham, Bordesley): The Corporation of Birmingham have tried hard to discourage the state of things which my hon. Friend seems to want to continue. If an owner has a large house into which he wishes to put half a dozen families, that Corporation has not objected, provided each dwelling is made suitable in respect of water supply, and so forth, for each of those families. But in many of those tenement houses there is only one supply of water, and—

DR. TANNER: Where do you put the cow?

MR. COLLINGS: I do not propose to take notice of the insolence of the hon. Member, whose conduct is apparently approved by some hon. Members sitting around him. It does not affect me personally, but it does affect me as a Member of this Assembly.

DR. TANNER: Why do you not sit on the other side?

MR. COLLINGS: It reflects disgrace—

DR. TANNER: Sit with your friends.

MR. COLLINGS: I will tell my hon. Friend that I sit in my place.

THE CHAIRMAN: Order, order! The hon. Member for Mid Cork will be good enough to restrain himself, and the hon. Member for Bordesley will proceed.

DR. TANNER: I only spoke—

THE CHAIRMAN: The hon. Member's conduct is really passing Parliamentary tolerance.

DR. TANNER: Of course, I bow to your ruling, knowing you side with the hon. Member. [An hon. MEMBER: "Name."]

THE CHAIRMAN: Order, order! Mr. Collings.

MR. COLLINGS: I trust that the Chancellor of the Exchequer, in the

interests of the working classes, will remain firm. Our object in Birmingham has been to induce owners of property in the large towns to make suitable provision for the working classes, and I think the attitude of the right hon. Gentleman will prove an incentive to owners in other large towns.

(10.59.) MR. ESSLEMONT: While I have great sympathy with the object which the Chancellor of the Exchequer has in view, I must say I do not think he will fulfil his purpose by this clause, and I deprecate most strongly his dealing with questions of sanitation in a clause of this kind. By merely altering the amount of duty the right hon. Gentleman is not likely to ensure proper measures of sanitation. The Government ought to see that the Medical Officers of Health and Sanitary Inspectors do their duty by these tenements. Knowing very well the habits of those who live in flats in the North of Scotland and other towns in Scotland, I maintain that the object the Chancellor of the Exchequer has in view will not be accomplished by this clause. On the contrary, by this clause a system of oppression will be practised upon a class of individuals who are not well able to bear it.

(11.2.) Question put:—The Committee divided:—Ayes 148; Noes 207.—(Div. List, No. 78.)

\*MR. GOSCHEN: Perhaps it will meet the views of hon. Gentlemen if we leave out the words "constructed (whether as originally built or by subsequent alterations)," and insert "originally built or adapted by subsequent alterations and used."

Amendment proposed, in page 10, line 13, to leave out the words "constructed (whether as originally built or by subsequent alteration)," and insert "originally built or adapted by subsequent alterations and used."—(*The Chancellor of the Exchequer.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

\*MR. MORTON: Are we to understand that there is to be a separate entrance?

\*MR. GOSCHEN: The hon. Gentleman will see that no such words are in the clause.

\*MR. MORTON: Will there have to be a separate entrance?

\*MR. GOSCHEN: Why should the hon. Gentleman wish to have the words? I believe, as I propose to amend it, the clause will meet the views of the Committee. It will be for the Sanitary Officers to decide whether the houses are properly adapted.

MR. STOREY: The proposed alteration is a substantial one, but let me point out that it is not necessary there should be a subsequent alteration. I suggest that the clause should be altered so as to read "originally constructed or adapted and used for the sole purpose." Additional sanitary arrangements in the yard might be required, and that would not be an alteration but an addition.

\*MR. GOSCHEN: I will agree to add the word "addition;" but I am not prepared to omit the word "alteration."

MR. STOREY: How will it read then

THE CHAIRMAN:

"The assessment to Inhabited House Duty of any house originally built or adapted by addition or alteration and used for the sole purpose."

MR. STOREY: I have to express my obligation to the Chancellor of the Exchequer.

Question put, and negatived.

Question, "That the words 'originally built or adapted by addition or alteration and used,' be there inserted," put, and agreed to.

Amendment proposed, in page 10, line 20, to leave out from "of" to "authority," in line 21 inclusive, and insert "other medical practitioner appointed as hereinafter provided."—(*Mr. Jackson.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. STOREY: No notice has been given of this Amendment, and I should be glad to know what is meant by it.

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE, Tower Hamlets, St. George's): It is to carry out more fully what is in the Bill itself.

MR. STOREY: What is in the Bill?

\*MR. RITCHIE: This Amendment is for the purpose of explaining more fully what will be the duty of the medical officer.

MR. STOREY: May we hear how the clause will read, if amended as proposed?

\*MR. RITCHIE: It is considered that the words of the clause are too narrow and do not sufficiently explain what is intended. We merely amplify the powers we propose to insert in the Bill.

MR. STOREY: I doubt very much whether there is any necessity to go beyond the recognised Medical Officer of Health, who is a public officer. We have had some experience in this matter, and we know it is never very well to have private practitioners giving these certificates. Cannot the right hon. Gentleman see he is holding out a premium to private practitioners to give certificates to their clients? I think certificates should only be given by public officials, who are directly responsible to the authorities.

\*MR. RITCHIE: The object of the Government is to provide that there shall be no delay. It is quite obvious that in a very large district the Medical Officer of Health may not be able to cover the ground as quickly as it is desirable he should. If the hon. Gentleman objects I do not know we need stick out for the appointment of additional Medical Officers. I think the hon. Member desires to omit the words "or of some other medical practitioner," &c. We agree to that.

Amendment, by leave, withdrawn.

Amendment proposed, in lines 20 and 21, to leave out the words "or some other medical practitioner appointed by him, with the consent of the Sanitary Authority."—(*Mr. Jackson.*)

Question, "That the words proposed to be left out stand part of the Clause, put, and negatived.

Amendment proposed, in page 10, line 25, to leave out from "fee" to "Board," in line 27 inclusive, and insert "Medical Officer of Health of a district on request by the person who would be liable to pay the house duty were not discharged as aforesaid, shall examine the house for the purpose of ascertaining whether such a certificate can properly be given, and if the house be constructed so as to afford such accommodation and due provision be made as aforesaid, shall certify the same accordingly and for such examination he shall be entitled to receive from the person so requiring him a fee of five shillings together with an additional fee of one shilling for each dwelling if the number of separate dwellings in the house exceeds five, provided that the total fee shall not in any case exceed two pounds. The Medical Officer of Health may with the consent of the authority by whom he was appointed, nominate some medical practitioner having the same qualification as that required for the office of Medical Officer of Health to make such examination and give such certificates in his stead."—(*Mr. Ritchie.*)

Question proposed, "That those words be there inserted."

MR. STOREY: I beg to move to omit from the proposed Amendment all the words after "accordingly," for the purpose of preventing Medical Officers charging any fees. I never knew a more extraordinary proposal than that which is made by the Government. They propose to remit the Inhabited House Duty. Take a case to see how it will work. If a house be rated at £20, under the new scale there will be 20 times 3d., or 5s., to pay. Duty amounting to 5s. will be remitted, but 5s. will be charged for the certificate upon which it is remitted. The Government, therefore, take off the tax with one hand and put it on with the other. In our town we pay our Medical Officer of Health £500 a year. Would you have a man in that position, when he goes to make this examination, charge the occupier a fee of 5s.? In my view, it is improper to charge a fee at all; and, therefore, I move the omission of the

words after "accordingly," so that it will yet remain the duty of the Medical Officer to examine, report, and certify, but he will be expected to include this in the duties for which his salary is paid.

Amendment proposed to the proposed Amendment, to leave out all the words after the word "accordingly."

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment."

\*(11.30.) MR. RITCHIE: The only reason why a fee should be paid to the Medical Officer is that at present this forms no part whatever of the Medical Officer's duty. If you impose on an officer entirely new duties, which in many cases will take up considerable time, it is hardly fair to do so without offering him a fee, and a very moderate fee this is for the service performed. I hardly think the Committee will be disposed to grudge such a fee for these new duties, a fee which will relieve the occupier of the house at once from the payment of an annual duty.

(11.31.) MR. STOREY: For a £20 house the duty would be 5s., and the occupier gets no relief if you charge him a 5s. fee.

\*MR. RITCHIE: He pays it once for all, that is my answer; and for that payment becomes relieved of an annual payment.

MR. STOREY: The right hon. Gentleman cannot have much anxiety to establish sanitary conditions in houses if that is his view. Though a house may not be fit one year it does not follow that the state of things will continue. Clearly the examination must be annual, if at all genuine.

\*(11.32.) MR. SYDNEY BUXTON: There is another point to consider. The proposal is that a fee of 5s. should be paid when ever a certificate is granted; but it must be remembered the examination is the same whether a certificate is or is not granted. If the fee is only to be charged when a certificate is granted, that may act as an inducement to grant certificates. I think the fee, if charged, should attach to the examination, not to the granting of the certificate of exemption.

(11.33.) **MR. HUNTER:** I assume it is the intention of the Government that a certificate should last more than one year; but I would draw attention to the fact that there is nothing in the clause to that effect. The assessment is annual; but there is nothing in the clause to justify the view that the Commissioners would accept the previous years' certificate as an exemption. It will be necessary to introduce some words to make the intention clear.

(11.34.) **SIR W. HARCOURT:** The right hon. Gentleman says the reason for this fee is that it is no part of the duty of a medical officer to make these inspections, but why should it not be? I cannot conceive anything more essentially part of a medical officer's duty than the investigation of the sanitary condition of houses in his district. If the salary of the medical officer does not admit of this additional duty, then let the salary be raised. I quite agree with my hon. Friend that the fee attached to the granting of a certificate might be considered an inducement to a medical officer to grant a certificate in doubtful cases where otherwise he might not grant a certificate. Clearly these examinations fall naturally within the duty of a medical officer and should be covered by the salary.

\*(11.35.) **MR. RITCHIE:** I hope the Committee has noted the opinion the right hon. Gentleman has expressed that medical practitioners might be induced for the sake of a fee of 5s. to grant certificates when they ought not to do so. What we say is that by this Bill we are imposing a new duty on Medical Officers of Health, and that, therefore, the fee—which is a very small one—should be paid them. Surely it is not too much to ask the person who secures this exemption to pay a fee when he receives his certificate? I do not believe that any officer would be induced by this consideration to give a certificate he was not justified in giving.

**SIR W. HARCOURT:** Nobody said so.

\***MR. RITCHIE:** We do not think the fee is by any means too large for these new duties of the medical officer.

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\*(11.36.) **MR. H. H. FOWLER:** The right hon. Gentleman completely misapprehends the objection. It is not the amount of the fee that is in question, and my right hon. Friend's remarks were not open to the construction the right hon. Gentleman put upon them. But certainly, as the clause stands, the fee is only given when a certificate of exemption is granted. But let me point out this as affecting not only medical officers, but legal officers, and all officers in the Public Service, that we hold the doctrine that when you pay a man a salary you are paying him for the whole of his time.

\***MR. RITCHIE:** The right hon. Gentleman is entirely mistaken. Nine-tenths of the medical officers do not devote their whole time to the service.

\***MR. H. H. FOWLER:** I understood the hon. Member (Mr. Storey) to say that at Sunderland the Medical Officer of Health is paid £500, and devotes the whole of his time to the discharge of his duties.

\***MR. RITCHIE:** I have no knowledge of what salary the Medical Officer at Sunderland gets; my memory does not enable me to say; but I do know that in a very large number of cases a Medical Officer does not get more than £50.

\***MR. H. H. FOWLER:** Let there be a distinction made. Surely in the cases where, for the whole of his time, an officer received a salary you would not have him exact a fee. It is part of the duty of a Medical Officer to examine the sanitary condition of houses, and our contention is that, instead of paying by fees, the salaries should be sufficient to cover duties like these.

(11.40.) **MR. BRUNNER** (Cheshire, Northwich): I think it will be found that the places where Medical Officers are paid for the whole of their time are the places where 99 per cent. of these insanitary tenements will be found. In regard to these examinations, I certainly think we should encourage the appointment of medical officers who will devote the whole of their time to the service, and discourage the system of paying a man a small salary for part of his time. I am sure in the latter case you get a bad bargain.

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(11.42.) **SIR WALTER FOSTER** (Derby, Ilkeston): I did not understand that any reflection was cast upon Officers of Health by my right hon. Friend (Mr. H. H. Fowler); but, on the contrary, I thought his remarks went to strengthen the opinion of those who hold that the proposal of the Government would be dangerous in the interest of public health. It is necessary that these examinations should be made by an expert, and it is desirable that an occupier should not be deterred by the fee charged. In large centres of population the Medical Officer is usually paid a good salary for the whole of his time; but Rural Sanitary Authorities often pay very low sums indeed for the services of their Medical Officer. It is, nevertheless, desirable that medical officers should discharge this duty of inspection both in rural districts and in boroughs; and it must lead to Rural Sanitary Authorities increasing the salaries paid to their medical officers. But the money will be repaid by the improvement in the health of the population.

(11.45.) **MR. ESSLEMONT**: In districts where such tenements exist the Medical Officer of Health should be required to place the whole of his time at the disposal of the authorities, and be paid a sufficient salary without charging fees. The contention which often exists between the medical officers and the persons whose houses are inspected will be much aggravated if the officers are allowed to collect fees. The Medical Officer should have an independent position and have a fixed salary. The clause, doubtless, was introduced with good intentions, but with imperfect acquaintance with the condition of things.

(11.46.) **MR. RITCHIE**: I am perfectly prepared to admit that there is a distinction between Medical Officers who devote the whole of their time and those who devote only a portion of their time to this work. If the House will allow the words to be inserted I will undertake to introduce on the Report stage some words with reference to Medical Officers who give up the whole of their time to the performance of those duties.

**MR. STOREY**: And the amount of the fee?

**\*MR. RITCHIE**: I give no undertaking as to that.

**MR. STOREY**: I will not press the matter further now. Let matters stand as they are until Report stage. We must not be considered open to the charge of obstruction if we then raise the question of payment of fees, the amount of the fees, and the question of payment whether a certificate is granted or not.

(11.50.) **MR. J. G. FITZGERALD** (Longford, S.): I regret the Government should have given way in this matter. New duties are imposed upon professional men, and yet you object to an extra fee for extra work, such a small fee that no other professional man would accept it. I certainly shall resist any proposal to impose new duties upon a body of men beyond their conditions of service without extra payment.

Amendment to Amendment, by leave, withdrawn.

Question again proposed.

(11.51.) **MR. MORTON**: I object altogether to the payment of Medical Officers by fees; it is a bad system, and in all intelligent communities it has been abolished. [*Interruptions.*] I do not know why I should be interrupted in this way by hon. Gentlemen who have returned to the House after passing the evening elsewhere. [*Interruptions.*] I have found, from experience, that if you give increased duties to a Medical Officer you are sure to have an application for increased pay. [*Interruptions.*] If these officers have a fair claim for increased payment, let it be granted, but not by way of fees.

Amendment agreed to.

Clause, as amended, added to the Bill.  
Clauses 27 to 31 agreed to without amendment.

Clause 32.

(11.55.) Amendment proposed, in line 37, to leave out the words "must not sell methylated spirits in a less quantity than a reputed quart and."—(*Mr. Jackson.*)

**\*MR. CREMER** (Shoreditch, Haggerston): Will not the last two lines of the

clause also have to be omitted? It appears to me if these are retained, notwithstanding the concession made, the clause will be incongruous.

\*MR. BIGWOOD (Middlesex, Brentford): May I ask what is the specific object of this Amendment? Is it with the object of doing away with the drinking of this class of spirit? Might not some arrangement be made by which double the amount of methyl in methylated spirit might be sold under the 10s. licence as compared with the indulgence licence?

\*MR. T. H. BOLTON: If the earlier portion of the sub-section is omitted why retain the subsequent part?

MR. JACKSON: There are very good reasons. It is necessary to have such a provision, and that Revenue officers should have such powers of investigation so that other spirits may not be sold.

\*MR. T. H. BOLTON: Are there not many chemists who hold licences to sell spirits, and will they not come under this restriction, so that a chemist who does not hold a licence to sell spirits will be able to sell methylated spirits in smaller quantities than the chemist who does hold a licence?

\*MR. BIGWOOD: It is an important question I raised just now. The amount of spirits purchased in London in very small quantities exceeds the knowledge of the Secretary to the Treasury.

\*MR. CREMER: I would suggest that we omit the clause altogether. I have tried to understand it and cannot, but I think it will inflict considerable inconvenience and hardship upon a numerous class of furniture makers and workmen, such as French polishers, who largely use methylated spirits.

(12.0) MR. JACKSON: It has been pointed out to me that some alteration of the words may be necessary, and I will undertake between this and the Report stage to consider the matter.

\*MR. CREMER: Does the hon. Gentleman consent to withdraw or postpone the clause? If not, I shall move its rejection.

(12.1.) MR. JACKSON: No; my suggestion is that the Amendment should be withdrawn, that the clause should be passed over as it stands, and I will consider the matter before Report.

Amendment, by leave, withdrawn.

(12.2.) Question, "That Clause 32 stand part of the Bill," put, and negatived.

Motion made, and Question proposed, "That the Committee do report Progress, and ask leave to sit again on Thursday next."

\*(12.6.) MR. CHILDERS: I should like to ask the Chancellor of the Exchequer what course he intends to take in the matter of the postponed clauses? Two years ago, in 1888, when for the first time certain revenues were appropriated for local purposes, Resolutions for additional taxation in the nature of Excise Duties were taken in the ordinary way, and, after being taken, were not included in the Budget Bill, but were put into another Bill. Will the Government now adopt that course, and discharge the postponed clauses from the present Bill, and incorporate them in a new Bill, following the precedent of 1888? In that year the Chancellor of the Exchequer said—

"I ought to add that I propose to introduce the Horse Tax and the Wheel Tax in a separate Bill, as they do not affect the Imperial Budget at all."

Now, these postponed clauses do not affect the Imperial Budget of this year; and, therefore, the same reason that induced the Chancellor of the Exchequer in 1888 to put those two taxes into a separate Bill is in full force at the present time. I, therefore, would ask the Chancellor of the Exchequer whether he will not follow that course?

\*(12.9.) MR. GOSCHEN: The result of not putting the Horse Tax and the Wheel Tax in the Budget Bill in 1888 was that those taxes were not carried at all. I think that that is not a very encouraging precedent to quote, as we desire to see these taxes carried. To follow the course suggested by the right hon. Gentleman would

necessitate the introduction of a fresh Resolution, a First and Second Reading, and Committee; and, wishing to do business as shortly as possible, we think the course we are pursuing is the best.

(12.11.) **SIR W. HARCOURT:** I agree that the precedent quoted by my right hon. Friend is not encouraging. The right hon. Gentleman has appealed to us on this side of the House not to delay the Budget Bill, and I would suggest to him that if the Government take the course which my right hon. Friend suggests they may pass their Budget Bill to-morrow. On the other hand, if these matters of compensation, which are hotly contested, are introduced, the Government cannot complain if the wheels drag heavily. Now, I have pointed out a course which will enable the Government to get the Budget Bill through without delay. It is impossible, if they keep the postponed clauses in the Bill, to avoid delay, because the proposals are regarded with great anxiety in the country, and must necessarily lead to prolonged discussions.

\*(12.15.) **MR. W. H. SMITH:** The Government, of course, desire to get the Budget Bill passed without delay. I must refer the right hon. Gentleman to the course taken this afternoon in deference to the wishes of hon. Members opposite. There was an understanding come to that after full and ample Debate on the proposals embodied in these clauses they should be incorporated in the Bill, and further progress should not be delayed by obstruction.

Question put, and agreed to.

Committee report Progress; to sit again upon Thursday next.

**ELECTIONS (SCOTLAND) (CORRUPT AND ILLEGAL PRACTICES) BILL.—**  
(No. 243.)

Bill read a second time, and committed to the Standing Committee on Law, &c.

**SUCK RIVER DRAINAGE (PROVISION OF FUNDS) BILL.—**(No. 236.)

Bill read a second time, and committed for To-morrow, at Two of the clock.

*Mr. Goschen*

**METROPOLIS MANAGEMENT AND BUILDING ACTS (AMENDMENT) BILL.—**(No. 132.)

Bill read a second time, and committed to a Select Committee consisting of Seven Members, Four to be nominated by the House, and Three by the Committee of Selection.

Ordered, That all Petitions presented against the Bill three clear days before the meeting of the Committee be referred to the Select Committee on the Bill, and that such of the Petitioners as pray to be heard by themselves, their Counsel, Agents, or Witnesses, be heard upon their Petitions if they think fit, and Counsel heard in favour of the Bill against the said Petitions if desired.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Three be the quorum.—(*Sir John Lubbock.*)

**PUBLIC LIBRARIES ACTS AMENDMENT BILL.—**(No. 167.)

Bill read a second time, and committed for Thursday next.

**DEEDS OF ARRANGEMENT BILL.**  
(No. 163.)

Bill considered in Committee; Committee report Progress; to sit again upon Monday next.

**COLONIAL COURTS OF ADMIRALTY BILL [LORDS].**

Bill read the first time; to be read a second time upon Thursday next, and to be printed [Bill 260.]

## MOTION.

### TENANTS' COMPENSATION BILL.

On Motion of Colonel Cotton, Bill to amend the Law with respect to Compensation due to tenants on Land under Mortgage, ordered to be brought in by Colonel Cotton, Mr. Gray, Mr. Brunner, and Mr. Tollemache.

Bill presented, and read first time. [Bill 259.]

House adjourned at twenty-five minutes before One o'clock.

## HOUSE OF LORDS,

*Friday, 9th May, 1890.*

## SOCIALISTIC LEGISLATION.

\*THE EARL OF WEMYSS: My Lords, I regret very much to have to postpone the Motion which stands on the Paper in my name. I hope it will not be inconvenient to any noble Lord who is anxious to take part in this discussion; but as I am very anxious that the Prime Minister should be present to state the views of the Government upon this very important subject, a subject which is daily becoming of greater importance, and as the Prime Minister is unavoidably detained at present elsewhere, I feel that I have no other course—though I adopt it with great reluctance—than to ask leave to postpone this notice to the only free day on the Notice Paper—that is, next Monday week. I am very sorry to be compelled to do this.

## JOURNAL COMMITTEE.

Report from, that the one hundred and twenty-first volume of the Journals (52nd and 53 Vict., 1889), with an Index, was ready for delivery; read, and ordered to lie on the Table; and the said volume ordered to be delivered in the same manner as the preceding volumes of the Journals have been delivered.

## BILLS OF SALE BILL.—(No. 51.)

Read 3<sup>a</sup> (according to order), and passed, and sent to the Commons.

House adjourned at twenty-five minutes before Five o'clock, to Monday next, a quarter before Eleven o'clock.

## HOUSE OF COMMONS,

*Friday, 9th May, 1890.*

The House met at Two of the clock.

## PRIVATE BUSINESS.

WALLASEY LOCAL BOARD BILL  
(By Order.)

Order for consideration of Bill, as amended, read.

MR. SEXTON (Belfast, W.): May I ask, Sir, why I was not called upon to move the Amendment which stands in my name upon the Paper?

\*MR. SPEAKER: I was told that the hon. Gentleman did not intend to move it.

MR. SEXTON: Although I did not intend to move it I desired to make a statement.

\*MR. SPEAKER: Under those circumstances, the hon. Gentleman is entitled to make a statement now.

MR. SEXTON: I am much obliged to you, Sir, for affording me the opportunity. The object which I sought in giving notice of the Amendment was the protection of certain owners and occupiers who believe they have the right of enclosure and of user in regard to certain portions of the foreshore; but their wishes have, to a certain extent, been met by the Amendments which have been introduced into the Bill at the instance of the promoters. My intention was to move that—

“Nothing in this Act shall restrict or interfere with the rights of an owner and occupier of unfenced ground adjoining or abutting upon the foreshore from using the same for the purpose of his trade or business in connection with his premises now existing.”

I understand from the promoters that any action taken to-day will not prejudice the rights of the owners and occupiers in the future.

COLONEL SANDYS (Lancashire, S.W., Bootle): I may say on behalf of the promoters that the statement which has been made by the hon. Member is correct.

Bill, as amended, considered; a clause added; Amendments made; Bill to be read a third time.

X

## QUESTIONS.

### IRELAND—EXTRA POLICE IN CLARE.

MR. T. M. HEALY (Longford, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland is it true that the Government have caused the County Clare to be assessed for half cost of extra police in the last eight years, as follows:—1881, £169 13s.; 1882, £2,973 7s. 1d.; 1883, £6,608 3s. 8d.; 1884, £6,896 2s. 3d.; 1885, £6,153 1s. 8d.; 1886, £3,807 1s. 4d.; 1887, £4,164 7s. 5d.; 1888, £5,735 9s. 1d.; 1889, £6,915 5s. 7d.; total, £43,422 11s. 1d.; can he explain that since 1886, when Colonel Turner was sent there, the cost has nearly doubled; and will anything be done to relieve the people of this heavy impost?

• THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The amounts presented at Assizes in each of the years mentioned in respect of extra constabulary for the County Clare are as stated in the question. The increased charge referred to was owing to the appointment of an additional extra force, whose presence was rendered necessary for the purposes of affording increased personal protection and patrolling. A reduction in the number was a short time ago made, which I understand reduces the annual charge to about £5,600, as compared with about £6,900 last year. It was found that the improvement in the state of the county admitted of this reduction of the extra force, and, when a further improvement takes place, further reductions can be made.

MR. T. M. HEALY: If, as the right hon. Gentleman has stated, the condition of the county is improving, why should these extra police be necessary?

MR. A. J. BALFOUR: No doubt there has been an improvement, but I am afraid that it is due to the employment of these extra police. The hon. Gentleman will see, however, that there has been a reduction of £1,300 in the cost of the force this year.

MR. T. M. HEALY: I beg to give notice that I will move that the Licensing Tax be devoted to the reduction of the contribution of the county to the maintenance of extra police.

### JUDICIAL RENTS.

MR. M'CARTAN (Down, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state when a Return will be given of the judicial rents fixed in Ireland since 1st December last; whether he is aware that for the three months ending on 30th November last, only 502 judicial rents were fixed by the Land Commission in respect of present tenancies in Ulster; and whether, considering that there are upwards of 9,000 fair rent applications served and still undisposed of from Ulster, and that it would at this rate take upwards of four years to hear the applications already made, he will either make some provision to protect applicants from the enforcement of the old rents pending the fixing of the fair rents, or appoint such a number of additional Sub-Commissioners as will dispose of the arrears in reasonable time?

MR. A. J. BALFOUR: The Return of judicial rents fixed in Ireland during December was laid upon the Table on the 2nd inst., and the Land Commissioners report that the Return for January will be presented in a few days. They state that the number of rents fixed in Ulster in the three months ending November 30 was 629, not 502, as mentioned in the question; but they point out that these figures do not afford a true test by taking them as for three months, the Assistant Commissioners having been on vacation throughout September and up to October 8. The total number of fair rents fixed in Ulster during the four months to March 31 was 2,509. Every effort is being made to facilitate the hearing of applications.

MR. M'CARTAN: How many of the applications have been decided?

### LIGHT RAILWAYS.

MR. T. M. HEALY: I beg to ask the Chancellor of the Exchequer whether, before the light railway line sanctioned by Mr. Price on the recommendation of Mr. Barton, and the line of Mr. Barton sanctioned by Mr. Price are approved by the Treasury, he will give his personal supervision to the proposed advances of public money involved in these schemes?

**THE CHANCELLOR OF THE EXCHEQUER** (Mr. GOSCHEN, St. George's, Hanover Square): I think that I shall satisfy the hon. Member by saying that the necessary indispensable supervision of this question will rest mainly in the hands of my hon. Friend the Secretary to the Treasury, than whom there is no man more competent to deal with it. If, however, the hon. Member has any information which ought to be in the possession of the Treasury regarding this subject, I shall be glad if the hon. Member will communicate with us either personally or in writing.

**MR. T. M. HEALY**: The whole point is in a nutshell, namely, that one gentleman was appointed to supervise one line at the recommendation of one Government Inspector, and that the second gentleman was appointed to supervise another on the recommendation of the other Government Inspector—that the two, in point of fact, recommended each other. Is it the fact that in one of the cases the Grand Jury of the County of Galway were bullied into accepting the line? Surely this is a serious matter, and the hon. Gentleman ought to be able to give an explanation.

**THE SECRETARY TO THE TREASURY** (Mr. JACKSON, Leeds, N.): The statement of the case made by the hon. and learned Gentleman is hardly a fair one. No single member of a Court of five could decide the case any more than another member. I have previously stated that the utmost care was taken in arriving at a proper decision. The hon. Member is probably aware that in the case of Galway the scheme adopted was one which had been previously adopted by the Grand Jury.

**MR. T. M. HEALY**: The hon. Member is mistaken. It was the scheme of Mr. Whitby, an English gentleman, which was adopted.

**MR. JACKSON**: The scheme followed practically the same route.

**MR. T. M. HEALY**: No.

**MR. JACKSON**: I shall be glad to give the hon. Member any information in the possession of the Treasury in order to convince him that at all events, as far as the Government are concerned, they have only had one object in view, namely, to secure the best scheme.

**MR. T. M. HEALY**: Will the hon. Gentleman refer to Sir R. C. Cusack, the Chairman of the Midland and Great Western Railway, and ask him whether the line approved by the Grand Jury was Mr. Whitby's line or the Government's line?

**MR. JACKSON**: I have no objection to refer to the Chairman of the Midland and Great Western Railway; but I understand that the arrangement was refused unless the ordinary principle adopted in the construction of railways was recognised.

**MR. T. M. HEALY**: I shall be perfectly satisfied if the hon. Gentleman will refer to Sir R. Cusack.

**MR. CLANCY** (Dublin Co., N.): Was the threat made, that unless Mr. Price's line was adopted there would be no line at all; and is it not the fact that Mr. Price is the engineer of two or three works which are regarded as disgraceful swindles?

**MR. JACKSON**: I am not aware of that fact.

**MR. FLYNN** (Cork, N.): At the outset did not the Grand Jury refuse to make the line unless it was to be made on the old Irish railway gauge of 5 ft. 3 in.?

**MR. JACKSON**: No, Sir; there was no refusal, because it was never proposed.

#### IRISH JURORS.

**MR. O'HANLON** (Cavan, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a man of the name of Hegan, who is a well-known emergency man, and whose income is increased by the number of convictions, served on the jury at the last Londonderry Assizes; and whether, under the circumstances, he is qualified to be on the list of jurors?

**MR. A. J. BALFOUR**: I have had no intimation either one way or the other on the subject of the hon. Member's question.

**MR. MAC NEILL** (Donegal, S.): Is the right hon. Gentleman aware that the jury in the first instance disagreed, and that it was then that Hegan, who is in the pay of the Government, was put upon the jury, after the counsel for the prisoners had exhausted all their challenges?

**MR. A. J. BALFOUR**: I cannot answer that question off-hand.

### POOR REMOVAL—CASE OF JAMES FLOOD.

MR. O'HANLON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the removal of James Flood from the Union, Paisley, Scotland, to the Cootehill Union; whether the said James Flood served for many years in the Army, and was for a long time on the Staff of the 4th Argyll and Sutherland Highlanders, and had a pension of 17s. 6d. a week; whether his removal is legal; whether it is fair to the man Flood or to the Union that, after the best of his days in the Army, he should, at a time when his health failed him, receive such ill-treatment at the hands of the law; and whether the right hon. Gentleman will bring in a Bill to amend the present state of the law?

MR. SPEAKER: The last part of the question is irregular, and cannot be put.

MR. A. J. BALFOUR: The facts stated in the second paragraph of the question appear to be correct. The removal appears to have been legal. As to the rest of the question, I will refer the hon. Gentleman to a reply which I gave on the 22nd March, 1889.

### BOYCOTTING—CASE OF MR. JAMES DALY.

MR. O'HANLON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has seen the following paragraph in the *Ulster Weekly News*, of the 12th April, 1890:—

"James Daly and his fellow prisoners, who were convicted at the last Derry Assizes for boycotting the engines and waggons of the Great Northern Railway, Ireland, were transferred on Tuesday from Derry to Belfast, in charge of three policemen. They were clad in prison garb, and, on their arrival at Belfast, were handcuffed two and two, like common felons, and taken away on cars; and, to an ordinary observer, it seemed that their clothing (they had no overcoats) was hardly sufficient for the biting winds of the day;"

whether the above is a true statement of the removal of the prisoners; and will he see that in future prisoners will receive better treatment?

MR. A. J. BALFOUR: A great part of this question has been answered before. In regard to the new part of it, I have made inquiry, but have not yet received a reply.

### THE CRIMES ACT.

MR. FLYNN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has seen the reports in the newspapers of the trial of Messrs. Kennedy, P.L.G., Doyle, Milligan, Kavanagh, and Mordaunt, at Gorey, on Monday 5th instant, under the Criminal Law and Procedure (Ireland) Act; what was the nature of the evidence on which these men were sentenced to three months' imprisonment each with hard labour; whether it is true that two of the defendants, Messrs. Mordaunt and Kavanagh, were sentenced at the same Court on the same day to six months' imprisonment each with hard labour, in addition to the three months already inflicted; and whether it is true, as stated, that counsel for the defendants applied to the two Resident Magistrates to have a case stated, on the grounds that there was no evidence to go before a jury; and, if so, why was the application refused?

MR. A. J. BALFOUR: I am informed that sentences were inflicted, as stated in the second and third paragraphs of the question. The Magistrates refused to state a case on the ground that the application was frivolous, as they were satisfied there was very strong evidence to go before a jury. I am unable to make any statement bearing on the nature of the evidence, two of the defendants having appealed.

MR. FLYNN: Will the right hon. Gentleman communicate with the Law Officers of the Crown in order to have a case stated?

MR. A. J. BALFOUR: I do not see that there is any necessity in this case.

### POLICE WATCHING.

MR. FLYNN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether complaints have reached him that at the last Fermoy fair, on Monday, the 5th instant, a number of cattle dealers and farmers were persistently followed by policemen all over the fair; if so, what is the object of this constant watching; and, in view of the complaints made by the parties that they cannot buy or sell their cattle on account of being so followed, whether suitable instructions will be given to the constabulary to desist from the practice complained of?

MR. A. J. BALFOUR: The Constabulary Authorities report that no persons were watched by the police at the fair mentioned except those whom they had reason to know were endeavouring to boycott the sale of cattle belonging to so-called obnoxious persons. No cattle dealer was followed.

MR. FLYNN: In reference to the second paragraph of the question, will the right hon. Gentleman ascertain whether it is not possible to issue instructions to the constabulary to desist from the practice complained of in the case of persons engaged in the pursuit of their own legitimate business?

MR. A. J. BALFOUR: If these persons have been engaged in illegal transactions they must expect that disagreeable consequences may follow.

MR. JOHN O'CONNOR: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is a fact that, on the 7th instant, in the town of Tipperary, Mr. Robert Paul Gill, civil engineer and architect, of New Tipperary, was accompanied by two policemen named Maddock and Gurry, who walked alongside of, and keeping step with him; whether Mr. Gill asked the policemen had they any business with him, and again would they persist in accompanying him in the same manner; whether Gurry said to Maddock, "Answer no more questions, we will do what we like," and continued to accompany Mr. Gill; and whether this procedure of the policemen is according to any special instructions to the police of Tipperary? I wish to supplement the question by another—whether a Roman Catholic priest in Tipperary has not also been followed in this way; and whether, when he goes to fulfil his sacred function, he is not accompanied by the police, who walk by his side in the street, no matter where he is going, or for what purpose? Does such conduct receive the approval of the Government, and is it by their instructions? If he is unable to answer the question will he take a note of the particulars, make inquiries, and give a satisfactory answer?

MR. A. J. BALFOUR: I understand that Mr. Gill is not under police supervision, but that he was accompanying Mr. Cullinane, who is.

MR. J. O'CONNOR: Is the right hon. Gentleman aware that Mr. Gill is an architect who is now engaged in superintending important building operations in New Tipperary; and is it fair that a professional gentleman should be so interfered with in the transaction of his ordinary business?

MR. A. J. BALFOUR: I am not aware of the fact stated by the hon. Gentleman.

#### HANDCUFFING PRISONERS.

MR. FLYNN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland will he explain why Messrs. Mulligan, Kavanagh, Mordaunt, and Grannel, who were sentenced by a Special Court, under the Criminal Law and Procedure (Ireland) Act, at Gorey on Monday last, were handcuffed in pairs, and conveyed under a heavy escort to Wexford Gaol?

MR. A. J. BALFOUR: The Constabulary Authorities report that the course referred to was rendered necessary to secure the safe custody of the prisoners, a large number of persons having assembled and surrounded the escort in charge of the prisoners. The police are responsible for the custody of prisoners, and it might be that they anticipated a rescue.

MR. CLANCY: Has there been a single attempt at rescue for the last five or six years?

MR. A. J. BALFOUR: If that is the case, I suppose it is because the precautions taken have been adequate.

#### CASE OF MARY CULLINANE.

MR. FLYNN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if it is true, as reported in the local papers, that a young woman named Mary Cullinane was sentenced by Colonel Evanston, R.M., on Monday last, at Clonmel, to six months' imprisonment for the alleged boycotting of two men named Duggan; and, if so, what explanation can be given for the infliction of such a heavy sentence?

MR. A. J. BALFOUR: I am informed that the facts are not accurately represented in the question. The defendant was charged with persistently following and preventing a man who occupied a farm from which this woman and her brother had been evicted from pursuing



his lawful callings. Her conduct was such as to lead to a breach of the peace. The Magistrate ordered the defendant to find bail. This she refused to do, electing to go to prison in default.

In reply to a further question by Mr. FLYNN,

Mr. A. J. BALFOUR said: This was the third time this woman was brought up for the same offence. If she had found security she would have been liberated.

#### IRISH MUNICIPAL VOTERS.

Mr. WEBB: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any Return has been presented to Parliament giving the municipal population and number of municipal voters in Ireland; and, if not, whether there would be any objection to furnishing such Return?

Mr. MATTHEWS: Yes, Sir; there is a Return of 1885, giving this information with regard to England, Scotland, and Wales, and a Return of 1886, giving it with regard to England. There would be no objection to continuing these Returns, if the hon. Member wishes it.

#### THE FUNERAL OF MR. HARRIS, M.P.

Mr. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can now make his promised statement as to the conduct of the police at Ballinasloe on the occasion of the funeral of Mr. Harris, M.P.?

Mr. A. J. BALFOUR: The Constabulary Authorities report that the police waited on the leaders of the committee organised to carry out the public funeral of Mr. Harris, and mentioned that if a funeral oration were delivered a Government shorthand writer would be present, and requested to know whether any objection would be raised. The police were informed at once that there would not be the slightest objection, and that, on the contrary, every facility would be given to the police. The police, accompanied by a shorthand writer in plain clothes, simply walked into the graveyard with the rest of the concourse of about 2,000 people, and paid as much respect to the dead as any one present.

Mr. SEXTON: As there is a direct conflict of testimony on the subject, will the Chief Secretary give any facilities for

*Mr. A. J. Balfour*

inquiring into the truth of the allegations against the police?

Mr. A. J. BALFOUR: Well, really, I do not know what further inquiry can be made unless by a Special Commission.

Mr. SEXTON: The right hon. Gentleman has had enough of Special Commissions for the present. Did the right hon. Gentleman approve of the intrusion of the police on the relatives of the deceased; and, if he approved of the presence of an armed force at funerals in Ireland, would he, at least, undertake that this should be done on the orders of the Executive, and not at the discretion of the local police?

Mr. A. J. BALFOUR: I think the hon. Gentleman has misinterpreted the facts. He talks of an armed force as if there had been an army of police, with swords drawn, bayonets fixed, and all the rest of it.

Mr. SEXTON: They had swords.

Mr. A. J. BALFOUR: The police were not armed in the manner suggested. There were only, I think, eight policemen altogether, a far less number, by the way, than would be present in the case of a large public funeral in England or Scotland. It seems to me the Head Constable acted properly in asking the committee making the arrangements for a public funeral whether they had any objections to the police attending or not. The request in this case seems to have been made in a respectful manner. With regard, however, to the question, I am distinctly of opinion that unless there was some ground to think that illegal speeches were going to be made there was no occasion for having police reporters about the grave; and that unless there was some proof that the funeral was to be made the excuse for illegal speeches the police reporters should not be present.

Mr. SEXTON: Is the right hon. Gentleman aware that the constables had their side arms, and also not merely attended in the churchyard, but formed a line immediately about the grave and shut out the mourners from the coffin?

Mr. A. J. BALFOUR: I do not think the hon. Gentleman is correct in his facts. The police had their batons only, and not their side arms. Of that I am not quite sure; but I am distinctly informed that no obstruction of any kind was offered to the mourners by the police.

MR. T. M. HEALY: The grave of the late Mr. Biggar was similarly "moucharded."

MR. HAYDEN: I myself saw the side arms. Will the Chief Secretary make further inquiries, there being a great deal of dissatisfaction in the district on the subject.

MR. DILLON (Mayo, E.): Is it the custom, when men are buried in Westminster Abbey, to have police notetakers to take notes of speeches?

\*MR. SPEAKER: Order, order!

#### THE STRAITS SETTLEMENTS MAILS.

MR. JOHNSTON (Belfast, S.): I beg to ask the Postmaster General whether, as the mails for the Straits Settlements, now sent fortnightly by French Packet, are frequently delayed in their arrival till after the departure of the Home Mails, it would be possible to send the outgoing alternate mails, now transmitted by the French Packet Service, by Bombay and Negapatam, as the Home going mails are now fortnightly sent?

\*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): The French Packets conveying mails fortnightly from this country to Singapore are timed during part of the year to arrive at that place about five days in advance of the departure of the mails sent home by the same line of steamers, and I have no official information of the delays referred to by my hon. Friend. But I will make a point of inquiring of the Singapore Post Office whether inconvenience does not arise from the present Postal arrangements with the colony, and whether the remedy which my hon. Friend suggests could, with advantage, be adopted.

#### THE INDIAN BUDGET.

SIR ROPER LETHBRIDGE (Kensington, N.): I beg to ask the First Lord of the Treasury whether the Government, having taken for other purposes the evening allotted by the fortune of the Ballot to the discussion of a proposal for a return to the ancient freedom of Debate on the Indian Budget, will propose some amendment of the procedure of the House in this respect?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): My right hon. Friend the First Lord of the Treasury has asked me to answer this question. My right hon. Friend is not prepared to recommend the House to make any change in its Rules in the direction suggested by my hon. Friend. The effect of his proposal might be to postpone the statement of Indian finance and the discussion on the most important questions of Revenue and Expenditure for the consideration of some local or personal matter. Hon. Gentlemen who take an interest in India have opportunities, in common with other hon. Members, to put Motions on the Paper, and there are other occasions of Bills affecting India on which discussions may arise.

MR. BRADLAUGH (Northampton): I hope the right hon. Gentleman will remember that in connection with other questions there is always an opportunity of raising a discussion when we are asked to vote money. But in the case of India none of the salaries are voted here.

MR. GOSCHEN: No doubt the Indian salaries are not voted by this House in the same way as other salaries are; but I am afraid that any new course of procedure would only be likely to land us in difficulty.

#### NAVAL MANŒUVRES ON THE CHINA STATION.

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty whether it is correct that the Naval Manœuvres conducted by Admiral Sir Nowell Salmon on the China Station, between the 17th and 20th March, resulted in the following casualties:—A second-class torpedo boat cut almost in halves by one of the boats of the attacking squadron by a blunder on the part of the engine-room artificers; that the *Alacrity* despatch vessel, with the Commander-in-Chief on board, ran ashore in a fog whilst steaming 12 knots an hour, carrying away four square feet of her prow, and that her repairs will occupy at least three weeks, and that all the attacking boats were more or less injured by collisions; whether these collisions were caused by the boats being worked by artificers in place of certificated engineers; if it is correct that the *Im-*

*périeuse* flagship, in returning into Hong Kong Harbour, collided with the German flagship there at anchor by not making sufficient allowance for the tide; and what inquiry he intends making with regard to the manœuvres and casualties?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The casualties referred to by the hon. Member did, unfortunately, occur during the course of the recent Naval Manœuvres on the China Station. The Report of the grounding of the *Alacrity* is now under the consideration of the Admiralty; but no official Reports on the other casualties have yet been received. Until these Reports are received the Admiralty will not be in a position to come to any decision with regard to the circumstances in question.

#### SAVING OF LIFE AT SEA.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the President of the Board of Trade if it is true that he has again postponed for several months the enforcement of the Regulations drawn under the Saving of Life at Sea Act of 1888 by a Committee of Experts; and in such case, what is the reason for the further delay, having regard to the three years which have nearly elapsed since the Select Committee reported the total inadequacy of present arrangements for the safety of passengers or sailors, and to the fact that the requirements of the Act as to the provision of life-saving gear have long been in force in the United States and elsewhere?

\*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The operation of the Rules drawn under the Saving of Life at Sea Act of 1888 by a Committee of Experts has been postponed until the 1st of November next at the request of the Committee of Experts which framed them, and which was appointed under the Merchant Shipping (Life-Saving Appliances) Act, 1888. The ground upon which the postponement was recommended was the necessity for carefully re-considering the Rules as affecting vessels in the short-sea and coasting services. Some other points more generally affecting the registration of the Rules are also under the consideration of the Committee.

*Mr. Gourley*

MR. H. VINCENT: Will the Rules be laid on the Table before they are finally adopted?

\*SIR M. HICKS BEACH: I believe so.

#### COAL MINE FATALITIES IN SOUTH WALES.

MR. DAVID THOMAS (Merthyr Tydvil): I beg to ask the Secretary of State for the Home Department if his attention has been called to the Report of Mr. Robson, the Mines Inspector of the South Wales District, for 1887, in which he says that the fatalities from falls of roof and sides were "very excessive," and could not be accounted for by the inferiority of the roofs and greater "squeeze" in the South Wales coalfield, and to the paragraph in Mr. Robson's last Report that—

"After two years' experience in this district, I am convinced that the supervision of the colliers' working places, where the majority of the falls occur, is not all that can be desired. The supervision is, I believe, generally given, but it is of too cursory a nature, &c.;"

and whether, considering that the ratio of fatalities to persons employed in South Wales is double that in the North of England, and that the number of collieries under the inspection of Mr. Robson is 50 per cent. more than the number under the charge of the Inspectors in the Newcastle and Durham districts, he will consider the desirability of appointing a few experienced workmen as sub-Inspectors, to assist the Inspectors in South Wales, with a view to securing a more strict observance of the 21st General Rule of "The Coal Mines Regulation Act, 1887"?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I have no reason to believe that the Inspectors are unmindful of the Rule providing that no persons shall be allowed to work alone as a collier in the face of the workings until he has had two years' experience of such work. On the contrary, at their last general meeting it formed the subject of discussion. No complaints have reached me that the Rule is disregarded. If the hon. Member will bring to my notice any instance of disregard I will do all in my power, by issuing instructions to the Inspectors, to secure, as far as possible, its proper observance.

## THE COAL MINES REGULATION ACT.

MR. DAVID THOMAS: I beg to ask the Secretary of State for the Home Department if he will direct the particular attention of the Mines Inspectors to Rule 39 in the General Rules under "The Coal Mines Regulation Act, 1887," which provides that no person shall be allowed to work alone as a collier in the face of the workings until he has had two years' experience of such work under the supervision of skilled workmen, and which Rule it is alleged is not generally observed; and what steps have been taken by the Inspectors of Mines to carry out the intention of the Rule, namely, that no inexperienced person is to be allowed to work in a stall except together with, and under the direction of, a skilled workman?

MR. MATTHEWS: I must somewhat modify the hon. Member's figures. The number of persons employed per life lost was 480 in South Wales, 741 in the Durham, and 757 in the Newcastle District last year. The lives lost from falls of roof were last year 77 in South Wales, against 87 in the previous year. I am informed by the Inspector that these are the accidents against which inspection is of the least avail. The timbering of the working places devolves upon the colliers, who resent interference or advice from the Inspector; and it would be absolutely impossible for Inspectors to supervise the timbering of the shifting working places of a district where upwards of 70,000 men are employed.

## PAINT FOR THE NAVY.

SIR ROGER LETHBRIDGE (Kensington, N.): I beg to ask the First Lord of the Admiralty what is the present system under which paints are tested and selected for use on the bottoms of Her Majesty's ships; and who is responsible for the selection of the compositions which are ordered from time to time to be used for this purpose; by whom was he appointed, and for how long; and on what principle does he make his selection?

LORD G. HAMILTON: The system under which paints for coating ships' bottoms are selected for use in the Navy was very carefully revised by the present Board of Admiralty after a Committee of experts had reported on the

whole subject. An officer who was a member of that Committee has been charged with the special duty of watching not only the results of the paints applied to Her Majesty's ships, but he also reports upon the various coatings used in the Mercantile Marine. With the information thus obtained, the Admiralty select those paints which, so far as present experience goes, have given the best results, and they find it advantageous, once a certain description of paint is applied to a vessel, to continue the use of the same material when the vessel requires subsequent coatings. I may add that compositions for coating the bottoms of Her Majesty's ships are first of all chemically tested to ascertain whether they contain anything that might act injuriously upon the plating. They are then practically tested on a ship's bottom alongside other compositions used in the Navy.

\*SIR J. SWINBURNE (Staffordshire, Lichfield): Will the noble Lord take precautions to guard against storing paints and dryers containing chemicals liable to cause explosion?

LORD G. HAMILTON: These things are used externally and not internally.

## OFFICERS OF THE INLAND REVENUE.

MR. HAYDEN (Leitrim, S.): I beg to ask the Chancellor of the Exchequer what is the number of officers of the outdoor branch of the Inland Revenue Department censured, reduced, and dismissed during the past three years; and what is the number so censured, reduced, and dismissed in what is called the indoor branch of the same Department during the same period?

\*MR. GOSCHEN: Comparisons are proverbially odious. I do not see any advantage in a public statement of censure inflicted on two great Departments, both of which, as a rule, perform their functions well. Nor could any comparison be fair looking to the different circumstances and size of the two branches in question.

MR. SEXTON: May I ask whether any Circular has been recently issued in connection with this or the Customs Department asking to be supplied with a Return of the nationality of the persons employed; and, if so, what is the object?

\*MR. GOSCHEN: I am not aware of the fact; but if it is desired I will obtain the information. It is possible that it may have been the case.

MR. SEXTON: I will put a question upon the subject again.

#### DEPUTATIONS TO THE BOARD OF TRADE.

SIR HENRY TYLER (Great Yarmouth): I beg to ask the President of the Board of Trade whether he will take into consideration the question of providing reasonable accommodation for the numerous deputations having business at the Board of Trade whilst kept waiting for an audience, so as to prevent them from being detained in ill-ventilated passages, or on the staircase, as was the case with a deputation on the 2nd May, for about 20 minutes after the time appointed for their reception, such deputation having been composed of numerous Members of Parliament and others, assembled to discuss the question of the proposed bankruptcy legislation?

SIR M. HICKS BEACH: I very much regret any inconvenience that may have been caused to any members of the deputation on the occasion referred to. It was due to the fact that the deputation which immediately preceded them detained me much longer than had been anticipated, so that the room ordinarily used for deputations to assemble in was not at their service.

#### THE THWING SCHOOL BOARD.

MR. BRUNNER (Cheshire, Northwich): I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to an advertisement in the *Schoolmaster* of the 26th ultimo, issued by the Thwing School Board, for a certificated master, stipulating that candidates must be able to play the harmonium, and will be expected to do so in the parish church; and whether this requirement, that the instrumental music in church shall be provided at the cost of the rates, is in accord with the law of the land; and, if not, whether he will take the matter up with this School Board?

\*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The Department have no power to prescribe to School Boards the terms of their advertisements; but if it

should appear that any part of the master's salary is paid in respect of services tendered as organist in the parish church, it would, no doubt, be for the auditor to disallow the amount, and it would not be taken into consideration by the Department in estimating the grant due under Article 114.

#### THE RAILWAY RATES INQUIRY.

MR. COGHILL (Newcastle-under-Lyme): I beg to ask the President of the Board of Trade whether it is true, as reported in the *Birmingham Daily Post* of 4th March, 1890, that the cost of the Railway Rates Inquiry has been at the rate of £10,000 a day; what proportion of the cost has been borne by the traders, what by the Railway Companies, and what by the country; and whether it was contemplated when the Railway and Canal Traffic Act of 1888 was passed, that such a long period would elapse before its provisions came into operation?

\*SIR M. HICKS BEACH: I have no means of knowing what is the total cost per diem of the Railway Rates Inquiry, nor have I any means of ascertaining what cost is incurred by the traders or the Railway Companies. But I cannot suppose that it reaches anything like the amount mentioned. The charge which falls upon the Public Funds is limited to the expenses connected with the hiring of a room, shorthand writers' notes, printing of proceedings, and the salaries of a few temporary clerks; but a portion, if not the whole, of this charge will be met by the fees paid by the Railway Companies on the deposit of their respective schedules. As regards the length of the inquiry, Lord Balfour of Burleigh and Mr. Courtenay Boyle have used their best endeavours to shorten the proceedings as much as possible; but a large number of traders have desired to come before them whom they have not thought it compatible with their duty absolutely to decline to hear. There have been 33 witnesses for the Railway Companies, and up to yesterday, when the evidence closed, 178 witnesses for the traders.

#### TITHE REDEMPTION.

MR. GRAY (Essex, Maldon): I beg to ask the President of the Board of Trade, whether the Government will consider the advisability of advancing

money, at a low rate of interest, from the Treasury for the purpose of tithe redemption?

\*SIR M. HICKS BEACH: There is a good deal of difficulty involved in the suggestion made by my hon. Friend, but the matter is receiving very careful consideration from the Government.

#### THE ICARUS.

MR. BRADLAUGH: I beg to ask the First Lord of the Admiralty whether his attention has been called to the *Naval and Military Record* of 8th May; and whether, in view of the precise and serious allegations therein contained, he will order a Court of Inquiry into the condition of the *Icarus* while under Commander Annesley?

LORD G. HAMILTON: I have not seen the report in the newspaper in question. In view of the serious nature of the allegations that have been made, which have already formed the subject of a question in the House, substantiated by a letter written by the hon. Gentleman, instructions have been sent to the Commander-in-Chief at Plymouth to inquire into them, as I felt that, in the interests both of the officer commanding and of the crew, an investigation was necessary.

MR. BRADLAUGH: I regret that the notice should have been so short, but the case seemed to me to be very urgent.

#### POSTAGE RATES TO AUSTRALIA AND INDIA.

MR. SUMMERS (Huddersfield) postponed until Monday a question to ask the Postmaster General what is the estimated loss to the Revenue by the reduction of the postage rates to Australia and to India from 6d. and 5d. to 2½d. in each case; what is the estimated additional loss to the Revenue if the postage rates to Australia and to India were reduced from 2½d. to 1d.; and what is the further estimated loss if the postage rates to all the Colonies and to India were reduced to 1d.?

#### THE NEW CODE.

MR. A. PEASE (York): I beg to ask the Vice President of the Committee of Council on Education whether Article 100 of the New Code is intended in its operation to disqualify and supersede all those uncertificated assistant

teachers and others who are now teaching separate infant classes under Article 108 of the Old Code with an average attendance of 50?

\*SIR W. HART DYKE: Article 100 of the New Code has been framed in conformity with Article 73, by which the staff requirements have been sensibly increased; but nothing in the terms of the Article will disqualify or supersede any teacher who is superintending an infant class with an average attendance of 50.

#### THE AMERICAN TARIFF BILL.

MR. JESSE COLLINGS (Birmingham Bordesley): I beg to ask the Under Secretary of State for Foreign Affairs whether, if the American Tariff Bill now before Congress is passed into law, the Government intend to take any steps to encourage British manufacturers to exhibit at the "World's Fair" in Chicago, seeing that the Bill in question is prohibitive as regards many classes of British manufactures?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSON, Manchester, N.E.): The question of any official participation by Her Majesty's Government in an International Exhibition can only be determined upon a review of the advantages to British interests when an invitation is received from the Government promoting it. But it is only probable that manufacturers in this country would be to a great extent deterred from sending specimens of their goods for exhibition if the Customs Duties imposed in the country of the Exhibition were such as to preclude their profitable sale there.

#### TROPICAL AFRICA.

MR. BRYCE (Aberdeen, S.): I have on the Paper a question to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to the rumours which have appeared in the public prints regarding treaties or arrangements with Native, Chiefs in the interior of tropical Africa alleged to have been recently made on behalf of Her Majesty or of any British Company; and whether he is now in a position to give the House any information upon this subject? I beg to postpone the question.

### FOREIGN AND COLONIAL POSTAL SERVICES.

SIR J. SWINBURNE (Staffordshire, Lichfield) postponed until Monday a question to ask the Postmaster General whether by far the greater proportion of the loss to the Revenue of £254,000 per annum on the Foreign and Colonial Postal Services is due to the East and West Indian Packet Services; and whether, down to the year 1858, this portion of the loss to the Revenue was charged upon the Admiralty Vote?

### THE LICENSING PROPOSALS.

MR. ALLISON (Cumberland, Eskdale): I beg to ask the Chancellor of the Exchequer whether the effect of the licensing proposals of the Government, as explained by him at Rawtonstall, will be to establish two authorities with power to diminish the number of public houses, one the Justices with powers to do so without giving compensation, the other the County Council, who are only empowered to do so on giving compensation; and will he explain in what manner he proposes to maintain the two systems side by side without weakening the powers possessed by the present Licensing Authority?

MR. GOSCHEN: The powers at present possessed by the Justices will not be interfered with, and will be exercised side by side with the employment of the means placed at the disposal of the County Councils for the extinction of licences. The Government do not anticipate that their proposal will in any way weaken the powers possessed by the Justices.

MR. J. O'CONNOR (Tipperary, S.): May I ask whether it would not be desirable to postpone the proposal in question until the Committee which is to consider the Bill of the noble Lord the Member for South Paddington (Lord R. Churchill) has made its Report?

MR. GOSCHEN: I do not think that my right hon. Friend the leader of the House would be disposed to assent to that proposal.

### HONG KONG—THE CONTAGIOUS DISEASES ORDINANCE.

MR. ROWNTREE (Scarborough): I beg to ask the Under Secretary of State for the Colonies whether the Ordinance

directed by the Secretary of State to be introduced in the Hong Kong Legislature for amending the Contagious Diseases Ordinance of 1889 has yet been passed; and, if not, what is the cause of the delay?

\*THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): As the Secretary of State's instructions in regard to an amending Ordinance were only sent last January, there has not yet been time for the Ordinance to be passed and sent home, but the officer administering the Government will be requested to push the matter forward as soon as possible.

### CIVIL SERVICE WRITERS.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Chancellor of the Exchequer whether the Government has any intention of improving in any way the present unsatisfactory position of the Civil Service Writers, many of whom have already served the State continuously for a period of 20 years, and only receive, after eight-and-a-half years' service, an annual bonus of 30s., increasing annually at the rate of 1d. per day?

MR. GOSCHEN: The case of the registered copyists was examined into by the Royal Commission on Civil Establishments, who stated in their second Report that they had before them—

"The representatives of the copyists, but we cannot report that, in our opinion, they have established any grievance which it is the duty of the State to remedy."

### HIRED DOCKYARD MEN.

MR. CUNINGHAME GRAHAM: I beg to ask the First Lord of the Admiralty whether James Davies, at the time he was injured in the execution of his duty, had worked in the hired department of the Pembroke Dockyard for more than 25 years, and was, therefore, entitled to a gratuity of £25 whenever he was discharged; can he explain why, although at the time of his injury, James Davies was earning £1 a week, and would have been entitled under the rules to a gratuity of £52 as a maximum on account of his injury, or in all to a gratuity of £77 as a maximum on account of his length of service and of his injury

combined, when he was discharged (in consequence of the injury to his hand) he received a gratuity of £52 2s. 10d., of which £25 was due to him apart from his injury, and the balance, £27 2s. 10d., only paid to him on account of his injury; do the rules permit of pensions being granted to workmen in the dockyard who receive injuries in the performance of their duty, and is there anything in the rules which would debar James Davies from receiving a pension; and is he aware that the accident entirely incapacitated James Davies from using the injured hand, inasmuch as he has lost his thumb and middle finger and is unable to close the remaining fingers?

LORD G. HAMILTON: James Davies had completed 25 years' service at the time of his injury, and could have received a gratuity of £25 for his services, if he had been discharged on account of a reduction in the establishment, or through being invalided. In the second question there is a misapprehension of the regulations under which gratuities are awarded. The amount of a year's wages in full is the maximum compensation, for service and injury combined, which can be awarded in a case of this kind; and Davies received the full award of £52 2s. 10d. to which he was entitled. Pensions can be granted to workmen who are totally disabled by accident; but the injuries Davies received were of a less severe nature, and his capacity to earn a livelihood was only materially impaired and not totally destroyed. The injury resulted in the amputation of the thumb and middle finger of the left hand.

#### PRACTICE FIRING ON THE ISLE OF WIGHT.

MR. ROE (Derby): I beg to ask the Secretary of State for War whether he is aware of the dangerous character of the practice firing on the Isle of Wight, a shot from Totland Bay having passed immediately over the tops of the funnels of the steamship *Brodrick Castle* (filled with passengers on her way from Bournemouth to Ventnor), and dropped into the sea within 300 yards of the boat whilst rounding, and within two miles of the Needles, at about noon, in bright and clear weather, on Tuesday, the 6th of May; and if he will give orders to pre-

vent such firing in future as may be dangerous to passing ships?

\*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The officer in charge reports that before the shot in question was fired it was estimated by the position-finder on Headon Hill that it would fall 1,000 yards from the *Brodrick Castle*. The shot fell exactly where it was predicted, and the steamer was never in the slightest danger.

#### THE COSWAY MINIATURES.

SIR ROPER LETHBRIDGE: I beg to ask the Chancellor of the Exchequer whether his attention has been drawn to the announcement of the sale by public auction next month of the most complete collection in existence of the famous Cosway Miniatures; and whether any arrangement would be sanctioned by the Treasury, under which these beautiful works of art might be preserved to the nation?

MR. GOSCHEN: No proposals have been made to the Government by any of their advisers in these matters with respect to the Cosway Miniatures. The Government have not been approached in the matter by the Trustees of the National Gallery with a view of placing funds at their disposal.

MR. C. GRAHAM: Will the right hon. Gentleman make further inquiries into the matter, or some of these valuable historical miniatures will be taken off to Texas or somewhere?

MR. GOSCHEN: I think that the notice which has been taken in the House will draw attention to the matter.

#### RAILWAY BRAKES.

MR. CHANNING (Northampton, E.): The Report of Colonel Rich, in reference to the Carlisle accident, being now in the hands of hon. Members, I wish to ask the President of the Board of Trade whether, having regard to the great divergence of opinion as to the nature and character of brake failures and the urgency of the question, he will consent to refer it to a Departmental Committee of scientific and practical experts?

\*SIR M. HICKS BEACH: I have considered the point; but it appears to me that such a Committee would have to be largely composed of persons who either are inventors, or manufacturers, or users, and



who would therefore be prejudiced in favour of particular forms of brakes. I do not think that the conclusions of such a Committee would be more authoritative or useful than the advice now at my disposal.

MR. CHANNING: In consequence of the reply of the right hon. Gentleman, I beg to give notice that, on a favourable occasion, I will call the attention of the House to the matter.

#### SEA FISHERY WORKS (IRELAND).

MR. T. M. HEALY: I wish to know from the Chief Secretary to the Lord Lieutenant whether he intends to oppose the Return in reference to sea fishery works in Ireland, which appears on the Paper in my name to-day?

MR. A. J. BALFOUR: I am at present inquiring into the matter.

MR. T. M. HEALY: Then I will postpone the Motion until this day week.

### MOTION.

#### MUNICIPAL ELECTIONS (SCOTLAND) BILL.

On Motion of Mr. Thorburn, Bill to amend the Law relating to Municipal Elections in certain Burghs in Scotland, ordered to be brought in by Mr. Thorburn, Sir John Kinloch, Mr. Mark Stewart, Mr. Shiress Will, and Mr. Barbour.

Bill presented, and read first time. [Bill 262.]

### ORDERS OF THE DAY.

#### MARRIAGE (ACTIONS FOR BREACH OF PROMISE) BILL.—(No. 207.)

Order for Second Reading this day, read, and discharged.

Bill withdrawn.

#### CONTAGIOUS DISEASES (ANIMALS) (PLEURO-PNEUMONIA) BILL.—(No. 168.)

Considered in Committee.

(In the Committee.)

Clause 1.

(3.10.) THE CHAIRMAN: The hon. Member for North Longford (Mr. T. M. Healy) has handed in Amendments to this clause which will more properly form the subject of a new clause.

Motion made, and Question proposed, "That Clause 1 stand part of the Bill."

*Sir M. Hicks Beach*

(3.15.) MR. T. M. HEALY: I notice that all the Amendments to this Bill which appear on the Paper are in the names of Scotch Members. There is one, however, which I wish to move in the interests of the cowkeepers and dairymen. In Dublin there is a very large industry connected with the sale of milk, and the persons who are engaged in it represent that their business may be entirely suspended unless provision is made for the immediate slaughter of cattle suspected of suffering from disease. I imagine that what the Government desire is that some time should elapse for the development of the disease, so that the Inspectors may know exactly what a suspected animal is suffering from—whether pleuro-pneumonia or tuberculosis; but it is rather a strong order that a man's business should be suspended, and that he should be deprived of the power of selling milk for an indefinite period. If it is necessary to hang up a man's business for more than a week, in order to enable the Inspector to discover what the disease is, I maintain that the dairyman or cow-keeper ought to be compensated. It is hardly fair that in the Imperial interests of agriculture a vendor of milk should have the whole of his means of livelihood destroyed. If the Government say that they are prepared to consider the point I will not press the Amendment; but, in the absence of such an assurance, I beg to move a proviso to this effect—

"Provided that the slaughter be carried out within one week from the enforcement of the powers conferred by the principal Act."

Let me take the case of London. There are in this City 4,000,000 of people who require to be supplied with milk every morning, and there are hundreds of cowkeepers and dairymen. If the Inspectors are to have the right on mere suspicion of suspending the business of these men, the consequence will be that their means of obtaining a living will be broken and ruined. What ought to be done is to give a week, and then if the cattle are not cured to slaughter them, and compensate the owners. I fully recognise that this is not a contentious Bill, but that it is one which ought to be passed for the general benefit of the community.

Amendment moved, in page 1, line 15, to insert—

"Provided the slaughter be carried out within one week from the enforcement of the powers conferred by the principal Act."—(*Mr. T. M. Healy.*)

Question proposed, "That those words be there inserted."

(3.20.) THE PRESIDENT OF THE BOARD OF AGRICULTURE (*Mr. CHAPLIN, Lincolnshire, Sleaford*): The proposition of the hon. and learned Member is one which has already been considered, and I am indebted to him for giving me an opportunity of expressing the views of the Government on the matter. I understand him to object to the discretionary power given to the Inspectors to suspend the slaughter of suspected animals, and I admit that in the case of large towns the interests of the cowkeepers and dairymen might be prejudicially affected. But, on the other hand, I must point out that a great many representations have been made to the Board in which the complaint made was that the power of slaughter has not been made imperative and obligatory in all cases. Now, I strongly object to the insertion of the word "shall," for the very reason that the hon. and learned Member has stated. I think it would be very hard for the Government, or the Board of Agriculture, to go into the dairies in the large towns and, without a moment's notice or warning, slaughter all the animals, without having any discretionary power whatever. We have endeavoured to guard against that by providing that there shall be a certain period of probation, with due restrictions for the prevention of contact with other animals.

MR. T. M. HEALY: What in London would be the probationary period?

MR. CHAPLIN: That would be left entirely to the discretion of the Board.

MR. T. M. HEALY: That is my principal objection, because the Inspector may put under probation the entire stock of a man, and prevent him from carrying on his business, practically, for an indefinite period. What I suggest is that there should be some limit to the probationary period.

MR. CHAPLIN: During the time the cows were in the dairy in a state of imprisonment, with a view to ultimate slaughter if necessary, the dairyman would be able to pursue his business, and

to sell his milk. It was with the view of not immediately destroying his business that the Bill has been drawn up in this way. It was drawn up expressly to meet the difficulty which the hon. and learned Gentleman has pointed out.

(3.25.) MR. J. LOWTHER (*Kent, Isle of Thanet*): As I understand the point which has been raised, it is that the authorities should have power to indicate a certain number of animals which it may be necessary to slaughter eventually, but to postpone the carrying out of the order for an indefinite time. Perhaps it may be worthy the consideration of the right hon. Gentleman whether it is not desirable to give the owner power to call on the authorities to do one of two things—either to withdraw the restriction or to carry out the power of slaughter at once. I hope my right hon. Friend will take that suggestion into consideration. As the Bill is at present framed the town cowkeeper would not know exactly where he stood.

MR. LLEWELLYN (*Somerset, N.*): It might be of advantage to the dairyman to have the cash down so as to be able to replace the suspected animals; but it would be of distinct advantage to the farmer that the authorities should not be too hasty in destroying the animals.

MR. HOBHOUSE (*Somerset, E.*): Does the right hon. Gentleman contemplate that this discretionary power should be exercised in the case of country dairies as well as of town dairies? I hope that he does, and that he does not entirely exclude from consideration those cases which must arise in the country as well as in the town.

MR. CHAPLIN: I contemplate no exclusion in any case, either in regard to town or country dairies; and when I prepared the Bill, I had in my mind the case of the farmers' fat beasts, which might be kept for three weeks or a month until they would reach their full value. Before the Report I will consider the suggestion of my right hon. Friend the Member for the Isle of Thanet (*Mr. J. Lowther*).

MR. T. M. HEALY: As I understand that the matter will be duly considered I will not press the Amendment.

Amendment, by leave, withdrawn.

Question again proposed, "That Clause 1 stand part of the Bill."

DR. FARQUHARSON (Aberdeenshire, W.): May I ask the President of the Board of Agriculture to amplify the answer which he gave to me recently in reference to the movement of cattle? I regret to find that no distinct arrangements have been made to regulate the movement of cattle after an epidemic. If each Local Authority is allowed to legislate for itself, great inconvenience may arise. No county has suffered more than my own from the fact that, although they have been able to frame efficient regulations for themselves, the Local Authorities of other counties have not discharged their duties so efficiently, and diseased animals have found their way into Aberdeenshire. I trust that in future the Central Authorities will frame stringent rules, and that the Local Authorities will not be left to make their own regulations. Unless something of that kind is done I am afraid the Bill will be of very little use.

(3.30.) MR. CHAPLIN: I think my hon. Friend misunderstood my answer. The execution of the orders will be carried out, as usual, by the Local Authorities who, of course, will be subject to the inspection of the officers of the Board of Agriculture, and in any case of default in adhering most strictly to the rules and regulations of the Board of Agriculture the Board itself will step in and carry out the orders.

MR. ESSLEMONT: I think the right hon. Gentleman has met the difficulty by saying that the rules will be uniform, and will be uniformly enforced throughout the country.

DR. FARQUHARSON: I am much obliged to the right hon. Gentleman for the information he has given us.

(3.31.) MR. CRILLY (Mayo, N.): I trust the right hon. Gentleman will give such an answer to the appeal of my hon. Friend the Member for North Longford as will render it unnecessary for me to propose the new clause which stands in my name. I quite agree with the right hon. Gentleman the Member for Thanet that as the Bill now stands the owners of cattle in towns will not know their exact position. My hon. Friend has suggested that suspected cattle should

be slaughtered within a definite period—say, seven days. The owners of cattle in Dublin desire to have some finality in this respect, and if the Bill passes, as framed, it will be perfectly optional for the officers employed under the Act to do as they like; the owners of dairies will be entirely at the mercy of their whims and fancies. Again, the Bill provides that the authorities may declare a place free from infection after 56 days. They may not do it sooner, but the declaration that the place is free from pleuro-pneumonia may be delayed for months, owing to the caprice or the laziness of the officers appointed under the Bill. We think the Bill should be more definite on this point. I know of one case in which the declaration of freedom from infection was delayed for three months, and all that time, although it was winter, the cattle had to be kept in the field instead of being properly housed, and the owner sustained considerable loss. The owner ought to know his exact position. I trust the right hon. Gentleman will consider this point.

(3.35.) MR. CHAPLIN: I will with pleasure. I want clearly to understand one thing. I assume that the hon. Gentleman contemplates a condition of things where all the cattle have been slaughtered. In such a case a specific time might be mentioned for declaring the place free from infection. But if any of the cattle are left alive it will be quite impossible to fix a specific time.

SIR GEORGE TREVELYAN (Glasgow, Bridgeton): I think it would be interesting if the right hon. Gentleman would give the Committee some information as to the officers to be appointed under the Bill. What will be the relations between the staff at headquarters and the Local Authorities, and what, approximately, will be the expense to be incurred? Of course, I am aware we cannot expect to have details, but I should like, if possible, a rough outline.

(3.36.) MR. CHAPLIN: I will with pleasure give what information I can. According to the estimates made by the Department of Agriculture, the additional sum required will be about £10,000 a year. It is impossible for me to take any steps for the creation of the staff until the Bill is passed; and it will be a month or six weeks after the Bill be-

comes law before everything can be satisfactorily arranged. I have in contemplation a staff that would be sufficient to carry out the instructions of the Board, as a reasonable forecast would estimate them to be. It is expected that the benefits to localities from the Bill will be so great that the cordial assistance and support of the Local Authorities will be given. We hope that our officers will work in perfect harmony and co-operation with the Local Authorities, but, at the same time, it will be necessary to be prepared for any opposite result; and in any case the work of inspection must be heavy.

\*(3.38.) MR. WHARTON (York, W.R., Ripon); I should like to ask whether the Board of Agriculture intend to employ the existing County Inspectors, as by doing so a considerable economy might be effected, and their local knowledge would be of great value. I think the Board of Agriculture will lose a great deal if they pass over these gentlemen in their appointments.

(3.39.) MR. ESSLEMONT: I agree with the hon. Member who last spoke, but I should like to add that it is necessary that the Inspectors should be men in whom the counties have the greatest possible confidence. It would be a very unwise economy to appoint local Inspectors merely because they are such.

(3.40.) MR. T. M. HEALY: Might I ask whether the right hon. Gentleman will consider, when the slaughtered animal has been found not to be infected with pleuro-pneumonia, the possibility of declaring the place free within two days? In such a case surely 56 days is too long a period to elapse before making the declaration.

\*(3.41.) SIR WALTER B. BARTTELOT (Sussex, N.W.): I think my right hon. Friend is quite right in saying he wishes to consult the views of the Local Authorities. I believe if he takes that course he would get from them valuable information as to who are the men likely to be most trusted by the county. I know that in my own county we have often wished for the opinion of a Government Inspector, because, however excellent a man the local officer may be, he is liable, like other people, to make mistakes. In all counties, however, there

are men pre-eminently qualified to carry out these duties, and if the right hon. Gentleman gets his information locally from the best men I hold it will be of great advantage, not only to his Department, but also to the country.

(3.43.) MR. CHAPLIN: I hope that the hon. Member for Longford will not ask me to bind myself at present to a specific number of days for the cases which the hon. Member has mentioned. I certainly think, however, that where all the animals have been slaughtered a place might be declared free within a much shorter period than 56 days. The Board will certainly endeavour to consult Local Authorities, whose local knowledge will be essential to the effective working of the Act, but I recognise the importance of having men upon whom the Board can thoroughly rely. Every endeavour shall be made on the part of the Board to see that this is done. We are already taking measures to ascertain every centre of the country in which pleuro-pneumonia exists, and where we are likely to get the most effectual assistance.

Clause 1 agreed to.

Clause 2.

(3.46.) MR. CALDWELL (Glasgow, St. Rollox): The Amendment I have to move raises a very important question. The amount to be paid out of the Imperial Exchequer is £140,000, but, in the event of there being a deficiency, it is to be supplied out of the local taxation accounts of England and Scotland. Now, there is a very important principle involved in this. The local taxation funds are already the property of the ratepayers, and it has always been held that the expenditure of such funds should be managed by the representatives of the locality. But, according to this Bill, the money required to make up the deficit will be taken from the rates by the Board of Agriculture, a Board over which the ratepayers will have no control. The result will be that as there is no limit placed on the expenditure of the Board, it may spend £300,000, of which £160,000 will be taken out of local taxation. Grants were given to localities on condition that they should be hypothecated by Parliament to purposes that were new. It is contrary to the principles of representative Government that localities should be assessed by the

Imperial Government for Imperial purposes, and that they should be called upon to pay sums out of local taxation by a Board which they have no right to call to account. Hitherto the money has been found by the Local Bodies, but then those bodies had control over its expenditure, and, as a result of their good management, the expense was small. In Glasgow, for instance, we have during the past five years spent only £400 a year under the Contagious Diseases Animals Act. Now, if you are going to take the management out of the hands of Local Bodies, it is only reasonable that the Board of Agriculture should bear all the cost. Under the Bill the assessment to make up the deficiency will fall equally upon the boroughs and counties: but in the past only one-fourth of the cost has fallen upon the boroughs, while the counties have had to bear three-fourths, which shows that this is a matter which affects the counties much more than it does the boroughs. In Scotland the rental of the burghs is exactly equal to the rental of the counties, so that the proposed arrangement will give three times as much to the counties as to the burghs. We, who represent the burghs in Scotland, know very well that nearly all the Conservative Members represent counties in Scotland, and we can understand a Conservative Government granting more relief to the counties than to the burghs. Indeed, one of our great complaints in regard to Scotch legislation is that the burgh ratepayer is always worse treated than the county ratepayer. I, therefore, move to omit Sub-section 4, on the ground that the whole expense of the working of the Act should be paid out of Imperial funds, and that the sub-section imposes the burden to an unfair extent on the boroughs.

Amendment proposed, in page 2, line 13, to leave out Sub-section (4).—(*Mr. Caldwell.*)

Question proposed,

"That the words, 'if in any financial year the money standing to that account is insufficient to defray the execution of this Act in Great Britain,' stand part of the Clause."

(3.53.) DR. CAMERON (Glasgow, College): I have a suggestion to make which, I think, if adopted, will facilitate the progress of this measure. This is  
*Mr. Caldwell*

the clause which raises the question of the mode of payment. So far as Scotland is concerned, the Government is not satisfied with the mode of payment provided in the clause, and the Lord Advocate proposed that, instead of the deficiency being made up out of the funds for pauper lunatics, it should be made up out of the new taxes on beer and whisky. The House has not agreed to that yet; and on the very sound principle affirmed last night, that until the House has had an opportunity of discussing the purpose for which a tax is to be levied, it should not be imposed, it is obvious that it is premature to apply to the expenses to be incurred under this Act taxes which have not yet been agreed to. I, therefore, suggest that the House should defer the consideration of the machinery for the payment of the expenses, for which, if necessary, the Bill can be re-committed before the Third Reading. This would probably save time, because there are a number of Amendments on the Paper, and if the Government persist in pressing this clause, we shall be obliged to discuss those Amendments.

\*(3.58.) MR. D. CRAWFORD (Lenark, N.E.): I think there is a good deal of reason in the suggestion of my hon. Friend. As the Government are well aware, the proposal to supply the deficiency in Scotland out of the grant for pauper lunatics has caused a great outcry, and it is now admitted to be indefensible. The Government have, consequently, made a fresh proposal to set apart certain Customs and Excise Duties for the purpose. But the Bill appropriating these duties to the purpose is not before the House, and, that being so, I submit that the position to-day is analogous to the position yesterday, when the Government postponed the consideration of certain clauses.

\*(3.59.) MR. MARJORIBANKS (Berwickshire): The hon. Member for the St. Rollox Division seems to think that there are no Liberal Members for Scotch counties. Whatever may be the case in the West of Scotland, it certainly is not so in the East. If the proportions in which the counties and burghs have contributed in the past has been correctly stated, my contention is that the burghs have paid too little, for they are directly benefited, and they are the points of

entry through which the cattle reach the districts in the counties. Therefore, I say the counties have a right to expect that the boroughs shall bear their share in securing that the cattle shall be introduced in a good, sound, and healthy condition. The boroughs derive almost the entire benefit of the trade carried on in foreign cattle, inasmuch as the middleman and the consumer, as well as the Dock Companies and the shipping trade, that obtain the advantage derived from that traffic. Therefore, if the counties pay three-fourths of the cost of slaughtering diseased cattle they pay too much, and have a right to demand that the boroughs shall have a fair charge laid upon them in connection with the enforcement of the Act. I have no objection to foreign cattle coming to this country; but we know it is the foreign competition that has brought down the price of home-grown cattle. This is a very good thing for the consumers, the bulk of whom reside in the boroughs, and who, therefore, ought to pay the greater portion of the charge.

\*(4.2.) MR. HOZIER (Lanark, S.): I wish to emphasize the arguments which have been put forward by my right hon. Friend opposite (Mr. Marjoribanks). We, in the County of Lanark, have suffered more than any other part of Scotland from pleuro-pneumonia, and we attribute that to a great extent to the fact that diseased cattle are landed in Glasgow, whence the infection is distributed through Lanarkshire and the rest of the kingdom.

(4.4.) MR. BRYCE (Aberdeen, S.): In my opinion, the whole cost should be thrown upon the counties; but before entering on that question I wish to call attention to the position in which we are placed. I hope the Government will tell us what course they are going to pursue. We are in this difficulty, that the proposal of the hon. Member for Glasgow (Mr. Caldwell) has completely changed the original character of the Amendment of which the Lord Advocate gave notice at Sub-section 6. The Amendment put down at Sub-section 4 of this clause is, in some degree, met by the Amendment of the Lord Advocate to Sub-section 6. The difficulty is that we cannot discuss Sub-section 4 without also discussing the Lord Advocate's Amendment, which comes at a later stage of the Bill.

I think it would be an advantage if that part of the question could be postponed. The matter is one of great importance to Scotland. We have four proposals before us; one proposal is to take the expenses out of the Consolidated Fund; another is to take it out of the rates altogether; another to take it from the county rates; and the fourth, that the Government is to take it out of the new tax which is to be created by a Bill which has not yet been read a second time, and possibly may never be passed. I think it would be highly inconvenient that the proposal we are discussing should be carried, and then left in the air because it is entirely dependent on the passing of another Bill. If this Bill is passed, which is very likely, inasmuch as it is supported by the Government, it would leave this Committee proposing to supplement any deficiency out of moneys to be levied by a tax not yet imposed; and if that tax be not imposed this Bill will have no effect as regards Scotland, or could only be made effectual by throwing the whole amount on the General Fund. I doubt very much whether that could be done; and I suppose it would be necessary at the last moment to re-commit the Bill for the purpose of dealing with the matter, or else to insert a provision when the Bill reaches the House of Lords. I should like to hear from the Government how they propose to obtain the money, and whether they do not think the best course would be to leave the question of Scotland out of the Bill altogether, or to postpone this clause until the money can be found under the Lord Advocate's Bill.

(4.8.) MR. ESSLEMONT: I must join issue with my hon. Friend the Member for Glasgow (Mr. Caldwell). It ill becomes him to taunt counties for representing Conservatism, seeing that Glasgow, with her seven Members, send three to vote with the Government. I must also join issue with my hon. Friend the Member for South Aberdeen (Mr. Bryce), in respect to the apportionment. It would be easy to show that the burghs are equally if not more benefited than the counties.

(4.9.) MR. JEFFREYS (Basingstoke): I trust the Government will not give way on this clause. Hitherto the counties have paid more than their fair share of

the cost of the Act, and it appears to me to be a matter in which the boroughs are much more interested than the counties. We in the counties have to supply the boroughs with milk, which is a very important article of consumption, and cannot be imported from abroad. If pleuro-pneumonia once gets into the dairies it stops the supply of milk, to the great detriment of the town consumers. The counties already have spent enormous sums in endeavouring to stamp out this disease, and I think it quite time that the boroughs should be called upon to pay their fair share.

(4.10.) Mr. J. MACDONALD CAMERON (Wick): I think there is a great deal in what has been said by my hon. Friend (Mr. Bryce) in regard to the Amendment of the Lord Advocate for providing the money. I have an Amendment of my own upon the Paper, but I do not propose to move it now. I hope, however, the right hon. Gentleman will concur in the proposal that the clause should be postponed, so that it may be brought up for subsequent discussion. If it be true that the counties have hitherto paid three-fourths, and the boroughs only one-fourth of the cost of enforcing the Act, the difference is exceedingly unfair to the counties; and I hope the Government will persist in their endeavour to make the burden as equable as possible. In Gloucestershire there can be no doubt that 9-10ths of the disease amongst our cattle is disseminated through the Port of Bristol. That being so, it is monstrous that the Gloucestershire dairies should have to bear the whole of the burden. This is not, and must not, be allowed to be a Party question.

Mr. CHAPLIN: I must express my surprise that the hon. Member opposite (Mr. Bryce) should have suggested that Scotland should be omitted altogether from the operation of the Bill.

Mr. BRYCE: I only meant that that part of the Bill which relates to Scotland should be postponed.

(4.12.) Mr. CHAPLIN: Every Amendment on the Paper refers to Scotland, and to Scotland alone, and in making such a proposition the hon. Gentleman is practically asking us to postpone the whole Bill. I admit that it is something of an anomaly that we should be looking for a portion of our funds to a Bill which

*Mr. Jeffreys*

has not yet been read a second time. I must decline to contemplate the possibility of that Bill not being carried during the Session, but I admit the force of the objection taken by hon. Gentlemen. My alternative will lie either in limiting my expenses, or in taking some measures before the final stages which would admit of the introduction of another Bill. The explanation which I have to give will, I hope, be satisfactory. I am not going to enter into any controversy between the boroughs and the counties, further than to say that, although in times past it might be the case that the boroughs had to pay only one-fourth and the counties three-fourths for all the animals slaughtered in consequence of pleuro-pneumonia, that was no guarantee of what their relative position might become under the Bill. The information which I received from those gentlemen who assist me, and whose opinions are more to be relied on than those of any others, is that the cost to the boroughs might, in the future, be very heavy, because in the large boroughs pleuro-pneumonia undoubtedly prevailed more than anywhere else. Whatever may be the case with regard to the past, the boroughs will find that they will no longer occupy the same advantageous position with respect to the counties. But the whole of the additional cost to be raised from local resources is so comparatively small and trivial that it is not worth while to discuss the matter at any great length. I stated on the Second Reading that this was a question upon which it was impossible, from the nature of the case, to obtain an accurate estimate. But I have had a great many estimates made with great care, and the most extravagant estimate is from £200,000 to £250,000, at the outside. I am provided with £160,000, to begin with, by the Chancellor of the Exchequer, and, in addition, I shall have all the money derived from the sale of the carcases of the animals slaughtered. I cannot say how much will be derived from that source, but I shall be greatly disappointed if I do not receive a considerable sum. I cannot conceive, even at the worst, that I shall have to ask for more than £50,000 from local resources; and I believe that sum to be an extravagant one. Supposing we are called upon to provide

that sum, how could it fall upon Scotland? It is to be provided at the rate of 18 per cent. by England, and 12 per cent. by Scotland. So that, really assuming the worst, I estimate that the sum Scotland will be called upon to pay will range from £5,000 to £7,000, and that would have to be distributed among the whole of the Local Authorities of the country. Really and truly, regarded in that way, the cost which is to fall upon the counties and the boroughs becomes inappreciable. I hope, and still think, the small call will not be required, and under the circumstances I hope the Committee will allow the Bill to proceed. This Bill is accepted by all sides of the House, and hon. Members are anxious to see it pass; but, knowing the state of public business, suppose it was not possible to find a further opportunity of discussing this measure, do you think that the constituencies, which have been so ably represented by the Members for Scotland, would be very well pleased at the loss of the Bill? I would remind the House that the Board of Agriculture has power at the present moment to insist on the Local Authorities carrying out the Act with regard to slaughter; and if they do not do it, then the Central Authority can do it at their expense. I thought that was a position which ought to be remedied, and, therefore, I introduced this Bill, which, accepted by all who are specially interested, will be a great gain to the country, and I think, therefore, ought to be allowed to proceed.

DR. CAMERON: I think the right hon. Gentleman misapprehends the position we take up. Nothing is further from our thoughts than to prevent the Bill proceeding. When the Bill was drafted the right hon. Gentleman proposed to deal with a small surplus in a manner which may be satisfactory to English Members; but in the case of Scotland he proposes that a deficit, which may possibly amount to £7,000, should be taken out of the sum at present allocated to the maintenance of pauper lunatics. That was so very questionable a proposal that an outcry was raised in Scotland, and it was abandoned. I do not enter into any discussion about counties and boroughs. The right hon. Gentleman says they should bear the expense equally, and upon that point we are at one. But the Government have been obliged to

make another proposal for obtaining the residue of the money required for carrying out the Act, and the Lord Advocate proposes to allocate a sum from the new duty on spirits and beer. I believe almost every Scotch Member is opposed to the imposition of the new Whisky Duty. But we protest, from independent and Constitutional considerations, so far as Scotland is concerned, against being committed to the expenditure of a tax which we consider to be most unjustly levied upon Scotland. The injustice of it has only become apparent since yesterday, when the Government issued a Return intended to show the equity of their proposal. We were told on Friday night that Scotland was receiving £18,000 more than she contributed as her share to the Probate Duty, but the Government Return issued yesterday shows that she will have to pay £52,000 more than her share in connection with this new tax. Now, the Chancellor of the Exchequer is a fair-minded man, and when these figures are pointed out to him he will incontinently abandon his proposal as indefensible. Then what becomes of the financial provisions of this Bill, so far as any deficit is concerned, if the Government have to rely upon the Amendment of the Lord Advocate, which would then not be worth the paper it is written on? The proposal I make does not mean the discussion of the whole question again. My hon. Friend (Mr. Caldwell) might object to the incidence as between the counties and boroughs, but that is the only point that would be left for discussion. But if you proceed with this now, we shall be obliged to discuss the whole of the Amendments, which will be absolutely useless, and we shall be obliged to discuss the Lord Advocate's Amendment, and certainly in nine cases out of 10 it will simply be a waste of time. On these grounds I urge the postponement of this sub-section.

(4.26.) MR. LLEWELLYN: The hon. Member for St. Rollox has used the argument that the money has not been voted, and last night the argument was used that the money could not be voted until we had the details. Looking at the Amendments on the Paper, it is clear that the opposition is from the Borough Members. If we are to vote on this Amendment, I see no



reason why we should not at once go to a Division.

\*(4.28.) MR. J. WILSON (Govan): I find by the Returns that the expense connected with pleuro-pneumonia in Scotland, in 1887-8—

MR. CHAPLIN: As far as the expenditure of the money is concerned, England and Scotland share alike in all cases in the Common Fund. Scotland, in the event of a deficiency, is only called upon to subscribe 12 per cent., and England 18 per cent.

\*MR. WILSON: So far as Scotland is concerned, the cost of stamping out this disease was £38,707 in 1887-8, but the actual amount spent in that year was £54,756. The proportion of the grant referring to Scotland under the new arrangement would have been £16,800, the difference being, in round figures, the sum of £37,000. Therefore, the estimate of £7,000 as the whole of the amount that we would be called upon to pay out of the rates, is, I am afraid, rather fallacious. However, it is a good Bill; and I am sure the people will welcome it, but we really ought to see where the money is to come from, and the burden should not be laid upon the boroughs more than in the past. If the right hon. Gentleman requires more than the £140,000, it should be obtained from the rates as heretofore.

(4.30.) MR. C. GRAY (Maldon): There would be no difficulty as to the money. I respectfully submit that you may meet the case by a 1s. poll tax on all foreign cattle.

The Committee divided:—Ayes 233; Noes 102.—(Div. List, No. 79.)

\*(4.42.) MR. D. CRAWFORD: I beg to move to insert in line 15, after "Great Britain," the words "(a) in England." The object of this Amendment is to give a different method of providing against any possible deficiency instead of that in the Bill. It is provided in the Bill that any deficiency that may occur is to be made good both in England and Scotland out of the local taxation accounts. That may be a very good plan in England, and I propose to distinguish the case of England by inserting these words. But it is not a good plan in Scotland, and accordingly, by consequential Amendments, I propose to provide the funds in another way. In the discussion it has

been said that the Government are not adhering to the plan for providing for this deficiency which they themselves suggest in the Bill. They first suggest that the money should be taken from the local grant in aid, conferred only last year on the Local Authorities for the benefit of pauper lunatics, and now they have departed from that and propose that the deficiency should continue to come out of the Local Taxation Account, but that instead of being derived from the grant for pauper lunatics it is to be derived from the proceeds of the Spirit Tax which the House has not yet assented to. Though that plan is free from the objections which might have been urged against the proposal to take the money from the grant for pauper lunatics, it is open to other objections of its own. What I would suggest is that the deficiency might very well continue to be levied both in counties and in burghs in the same way as the assessment under the Contagious Diseases (Animals) Act. The President of the Board of Agriculture says the sum required will be exceedingly small, and I hope his estimate will turn out to be correct. The machinery is there, and I think that would be the simplest way of making up any deficiency. I would not be a party to laying a new burden on the counties—as a County Member myself. This is not laying a new burden on the counties. From the enormous proportion of the tax the counties will be relieved by this Bill which we welcome and desire to see passed. The objections to the method of supplying the deficiency proposed by the Government are much greater than those to the method I now propose. The objections to the Government plan are these: We object to meeting the deficiency by a Bill which has not yet passed—and however inconvenient it may be, I find it necessary to make some reference to the provisions of the Bill itself. A share of the Spirit Tax will be granted under it to the Local Authorities in Scotland, and that money will be apportioned in a particular way. It will give so much for the superannuation of the police and so much for compensation to be paid to holders of licences which are to be abolished; and, finally, it will say that the rest of the Spirit Tax is to be chargeable with the deficiency we are dealing

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with in this Bill. There is a great deal in that Bill which almost all of us object to *in toto*; therefore, we do not want to make it a vehicle for enacting the necessary provision required under the present Bill. But we have a more specific objection than that. It says that a sum of £40,000 is to be given for the completion of the free education system in Scotland. We know that that sum is not sufficient, and we are at a loss to know why the Government—after having, as we thought, given us free education in Scotland last year—should tinker with the question by giving us another dribblet instead of completing the edifice. We are exceedingly anxious that sufficient money should be got for the purpose now that we have entered upon the policy of freeing education in Scotland. On that ground I object to the proceeds of the Spirit Tax being diminished for an unnecessary purpose, such as is contained in this Bill. I should think that nearer £70,000 than £40,000 will be required for freeing Scotch education, and I object to any deduction for other purposes from sums which can be made available to complete the system of free education.

Amendment proposed, in page 2, line 15, after "Britain," insert "(a) In England."—(Mr. Donald Crawford.)

(4.53.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I must say the hon. Member has introduced into the Debate very various and very controversial subjects, and I must deprecate the tone of his remarks. I have noticed that several speeches which have come from the opposite side have been characterised by the warmth of their controversial tone. The object which I have in view is to facilitate the Committee in coming to a decision on what is, after all, a very small practical question. It should be borne in mind that the amount that has to be provided for is contingent, and is almost certain to be very small. It will probably be £4,000 or £5,000 at the outside. The amount is to be distributed over the whole of Scotland, and what we have to do is to find a ready means of enabling the President of the Local Government Board to put his hands on the money without delay or embarrassment. That points to a Central Fund. The first objection

I have to the Amendment is that it will, for this wretched sum of £4,000 or £5,000, make the President of the Local Government Board creditor for all the counties and burghs in Scotland, and will require him to go down and pick up the wretched fragments pertaining to each community. That is altogether inconsistent with the scheme of the Bill, which is approved by both sides of the House—that scheme being that the question should be dealt with as a matter of administration in which the whole community is interested. It is true that the proposal of the Government is to attach a fund which has not yet come into existence, and I admit that the objection to the proposal on that ground is plausible. It is said that it is problematical whether the Whisky Duty will really be imposed; but, to say the least, there is certainly an even chance that the duty will be imposed and that the fund will be available. However, to meet the objection of the hon. Member opposite, I am willing, if the Committee will now agree to the proposal to attach liability to the proceeds of the Whisky Tax, to undertake that the Bill shall not be passed until a decision shall have been come to upon the question of the imposition of the tax.

(4.56.) SIR G. TREVELYAN: I think there is a great deal in the contention of the Lord Advocate. I am one of those who hold in the strongest manner that the liability for any deficiency ought to fall on the counties where diseased animals are killed; but, as the principle of local liability has been abandoned, it is useless to attempt to revive it when only such small sums as will be required to make good deficiencies are in question. If they have recourse to the county and burgh rates in order to make good the deficiency of £5,000 or £7,000 in Scotland, the work of collection will be quite disproportionate to the sum collected. The Government, I understand, having undertaken the duty of suppressing pleuro-pneumonia, are prepared, in the last resort, to throw the whole expense on the Treasury.

MR. J. P. B. ROBERTSON: That is an unwarranted inference to draw from anything which I have said.

SIR G. TREVELYAN: Nevertheless it must be the inevitable result of the course which the Government are

pursuing. Supposing that the Spirit Duty proposal is not agreed to, there will be very good grounds for urging the Government to supply the deficiencies in respect of the slaughter of diseased cattle from other Imperial sources. I should myself strongly oppose the additional duty on spirits; but pending the decision of the House upon that question, I think we might well leave the matter under consideration as it stands at present.

(5.0.) MR. MARJORIBANKS: I think it is utterly unreasonable that we should go on wrangling about a small remnant which is mere surplusage. If this is going to be a large amount, the more reason why it should be borne by the Imperial Exchequer. All these new proposals should be charged upon Imperial Funds, and this is recognised by the proposal for the new Whisky Tax. It is useless to discuss now whether that proposal will pass the House or not. If it does not pass, then the Government must find some other means of meeting this remnant. County Members cannot submit to the proposal that this remnant, be it big or small, should be charged on the county rates. I shall certainly give most determined opposition to any proposal to charge the deficit on county or borough rates.

(5.1.) MR. BRYCE: I do not think my right hon. Friend quite appreciates the position taken up by the hon. Member for Lanark (Mr. Crawford). This is not a question as between burghs and counties. This Amendment is the first of a series leading up to the proposal to provide this compensation from local taxation accounts.

THE CHAIRMAN: I should here mention that it appears to me that the decision of the Committee upon the Amendment now before us will decide all the other Amendments on the Paper involving the question of differential treatment.

MR. BRYCE: I thank you, Sir, for explaining that. I was going to point out what I conceive to be the effect of the Amendment. It is really a question as to taking the money as regards Scotland as well as England out of local taxation accounts, and not whether we should treat it differently in England and Scotland. The Lord Advocate anticipates that the deficiency will be small in

*Sir G. Trevelyan*

amount, and he has suggested that the House should reserve its control over the Bill until the question of the imposition of the new Spirit Duty is decided, and that, I think, is a fair offer. There is, however, one difficulty. After the allocation of the proposed tax to the purposes set out, the "residue" is to be applied for purposes of pleuro-pneumonia, in conformity with an Amendment which the Lord Advocate has yet to move to the Bill. But suppose, for the sake of argument, we withdraw our Amendments, that we agree the money shall come from local taxation, that the proposal of the Lord Advocate is accepted, and that the Customs and Excise Bill is read a second time; and we on this side of the House—I think I may say universally—are prepared to urge in Committee that the sum allotted for the relief of school fees is inadequate; if we have assented to taking the "residue" for pleuro-pneumonia purposes, are we thereby precluded from insisting that all the money that can possibly be taken shall be devoted to freeing school fees? Either we must oppose the proposal of the Lord Advocate now with a view to the contention we intend to raise on the Customs and Excise Bill for the purpose of free education, or we must have a complete and explicit declaration that the question shall be considered entirely *res integra*, and that we shall not be met with the objection that we cannot increase the sum for free education, the residue having already been appropriated.

(5.6.) MR. ESSLEMONT: I hope the question of differential rates will not be pressed now upon such a small sum, but I would ask the Lord Advocate, with whose opinion and remarks I agree so far, whether it is worth while to ask the Committee to commit itself to his proposition now? If we understand that the deficit shall be raised from some Imperial rate, we shall be quite content to leave the matter open, and the passing of this Bill will be facilitated.

(5.7.) DR. CAMERON: That, I think, is a sensible suggestion; it is, in fact, the suggestion I made before the last Division, and which, if the Government had accepted it, we might have been fairly through the Bill by this time. Let the Lord Advocate leave the Bill, as regards Scotland, in the position in which

it now stands for the present, deferring the proposition he is pledged to make to a later stage.

\*(5.8.) MR. D. CRAWFORD: I am anxious to take the course suggested by my hon. Friends, and I do not wish to press my Amendment, but I hope the Government will give an assurance that our position on the question of payments in relief of school fees under the Customs and Excise Bill shall be considered as intact.

(5.9.) MR. CHAPLIN: There is one consideration that presses in this matter, and which, perhaps, I should have mentioned before. As a matter of fact this disease is spreading rapidly; the Committee will regret to learn that the last Returns are most unfavourable. This means that every day I am denied the power of dealing with this disease the loss becomes greater. If the Bill is held over, as hon. Members desire, I trust it may not be for any considerable period, for ultimately it means greatly increased cost to Scotland as well as England; the loss will certainly be greater than anything you can hope to gain. I am, therefore, anxious to come to an understanding which would facilitate the passing of the measure. The utmost limit to which I feel disposed to go is this—that while I decline to admit the possibility of the other Bill not passing, I would undertake that until that Bill does pass, or other means are provided, I will not exceed the amount to be received from Imperial sources.

(5.11.) DR. CAMERON: But what are we to understand? The Lord Advocate gave us an assurance that the Bill should not leave our control until the principle of the other Bill was affirmed, but the right hon. Gentleman throws over his Colleague, and says, "I must make progress with the Bill." Are we to place upon the words of the Lord Advocate that reliance which on Scotch matters we usually attach to anything he says on behalf of the Government, or are we to consider him as subordinate in this matter to the decision of a Cabinet Minister? I certainly think the proposal for meeting the residue should be left in skeleton, as it stands, to be filled in afterwards by the Lord Advocate's proposal, or in some other way that may

suggest itself. If that is done we are ready to forego contention now.

(5.13.) MR. CHANNING (Northampton, E.): As an English county member I would just say a word in support of the suggestion of the Minister for Agriculture. This is a Bill for the prevention of a disease that does infinite injury, and it is very important that it should be carried into law, and I think that the offer of the Government ought to be accepted.

(5.14.) MR. ESSLEMONT: I must say the discussion is being carried on at needless length. Now, the right hon. Gentleman (Mr. Chaplin) has said that if the worst comes to the worst he will do without more money, and, under these circumstances, I again appeal to the Lord Advocate not to press his proposal with regard to the Spirit Duties now, but to leave it open, and the Bill will proceed fairly and smoothly.

(5.15.) MR. CAMPBELL-BANNERMAN (Stirling, &c.): I quite agree that would facilitate matters, but unfortunately some sort of Amendment of the kind is absolutely necessary, unless we are to fall back upon the Pauper Lunatic Fund. All that we want on this side of the House is that it shall be explicitly understood that we are not, either technically, or, as I might say, morally disqualified from discussing this matter fully when we come to deal with it later.

(5.17.) MR. CHAPLIN: I think we have made every effort to meet hon. Gentlemen opposite. My right hon. Friend the Lord Advocate made a proposal which, I understood, was not accepted by hon. Members opposite, and I then made another. As I said before, I decline to admit the possibility of the Licensing Bill not passing, but I have no hesitation in repeating my undertaking to confine the money spent for the purpose of the Bill to £160,000, until that Bill is passed or some other way settled.

(5.19.) DR. CAMERON: In that case I do not see that we want the Amendment of the Lord Advocate to Sub-section 5 of Clause 6, and the simplest plan will be to strike out the Sub-section, leaving the matter practically open. I do not think that the proposal of the Lord Advocate that we should retain control of this Bill, pending the decision of the House on the other Bill, was objected to except by the right hon.

Gentleman (Mr. Chaplin) himself who seemed determined to push his Bill through. [*Interruptions.*] I have no wish to impede the Bill, and did not impede the Second Reading; but there are matters of detail which closely affect our constituencies. Our best plan, I think, will be to drop the Amendments relating to Scotland until we come to Clause 5, and then take a Division on Sub-section 5 of that clause.

(5.25.) MR. BARCLAY (Forfarshire): Delay in passing this Bill will be a public misfortune, and I hope the Government will not agree to indefinitely postpone its discussion. A few days' delay will cause a greater expenditure than the whole of the sum which is now being discussed, which only amounts to some £4,000 to £7,000. I hope and believe that, if the Act is vigorously carried out, the sum required next year will be much smaller.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 5.

(5.30.) MR. M. J. KENNY (Tyrone, Mid): I wish to draw the attention of the Committee to this clause. There is nothing in the Bill which would prevent the expenditure of £140,000 in England, but I notice that the contribution from the Treasury to Ireland is restricted to £20,000. That is not equality of treatment. The right hon. Gentleman the President of the Board of Agriculture may be aware that in March an enormous number of cattle were slaughtered in Dublin with the object of stamping out the cattle disease. If the compensation for these cattle is to come out of the £20,000, the sum may be exhausted, and any further amount required would have to come out of the rates. I would suggest that the right hon. Gentleman should make some provision in this clause for an additional grant to cover the amount that has already been expended.

(5.32.) MR. SEXTON (Belfast, W.): As the learned Attorney General for Ireland has entered the House I wish to press on his attention the point raised by my hon. Friend. The slaughter of cattle for disease in Ireland takes place almost exclusively in Dublin, and the result is that a very oppressive burden

*Dr. Cameron*

has fallen on the North and South Dublin Unions. I wish to ask whether those Unions will be compensated out of the £20,000 for the special burden that has fallen on them in this respect; and I desire also to know what security we have that those Unions will in the future be saved from loss?

(5.34.) MR. CHAPLIN: The £20,000 will go on from year to year, and, if it be not all spent in the first year, it will mount up. It is quite true that a large number of cattle have been slaughtered in Ireland, but I apprehend that the expenditure next year is not likely to be as great as it has been recently. The £20,000, therefore, will not probably be all spent.

(5.37.) MR. SEXTON: The right hon. Gentleman does not seem to have understood our contention. What we desire to know is whether any special step will be taken by which the amount spent by these two Unions out of the rates will be made good to them?

\*(5.37.) MR. MADDEN: No doubt the greater amount of the cost of stamping out pleuro-pneumonia has fallen on Dublin. I think I can promise that my right hon. Friend the Chief Secretary will give his attention to the subject and will consider whether the clause in the Bill is adequate and gives the necessary relief.

(5.38.) MR. MAHONY (Meath, N.): May I point out that, as the clause is drawn at present, the first year is unfairly burdened? The £20,000 to be given for the first year will really be required to meet the debts of pre-the clause in the Bill is adequate to join the necessary relief.

Clause agreed to.

Clause 6.

(5.39.) DR. CAMERON: I beg to move the omission from this clause of Sub-sections 4 and 5. If my Amendment be accepted, the result will be to enable the Bill to come into operation at once. The right hon. Gentleman (Mr. Chaplin) has told us that he does not propose to exceed the expenditure of £160,000, and that it is of the very first importance that he should be able to incur that expenditure. There is no reason why, if these two sub-sections were omitted from the Bill, the measure should not come into force to-morrow.

The Government propose to provide for the deficit in a manner that must necessarily give rise to a considerable amount of controversy. They propose to levy a tax to which a large number of the Scottish Members are opposed. The Lord Advocate proposes to divert from free education a sum of money with which to pay compensation to landowners for the slaughtering of their cattle arising from pleuro-pneumonia. It is all very well to say the Government fully agree to the understanding that nothing contained in this Bill is to be held as prejudicing us when we come to discuss the provisions of the Licensing Bill. But if we have spent the money here we may discuss until we are black in the face and we will not be able to get it back. The obvious cause to prevent any complication is to oppose now the application of this money. I beg to move the omission of Sub-sections 4 and 5.

Amendment proposed, page 4, line 14, leave out sub-sections 4 and 5.—(*Dr. Cameron.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. CALDWELL: I think the Government might readily accept this Amendment, which is really proposed with the view of carrying out their intentions. The deficiency is to be debited to the Local Taxation (Scotland) Account, and these sub-sections state what accounts are to be debited with the deficiency—one is the Probate Duty, and the other is the sum paid to Parochial Boards in respect to lunatics. The Lord Advocate's proposal is that neither of these two accounts are to be debited with the deficiency.

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): Sub-section 4 has nothing whatever to do with Scotland.

MR. CALDWELL: With regard to Sub-section 5, the Government have pledged themselves to find the money in another way. Certainly, the Scotch Members have only one course to adopt, and that is, to resist the taking of the money from pauper lunatics.

DR. CAMERON: I will only move the omission of Sub-section 5.

Amendment, by leave, withdrawn.

Amendment proposed, to leave out sub-section (5).—(*Dr. Cameron.*)

Question proposed,

"That the words 'All moneys paid under this Act out of or into the Local Taxation (Scotland) Account shall in account be charged against' stand part of the Clause."

MR. CHAPLIN: I am afraid I cannot agree to the omission of Sub-section 5. Personally, I look forward to the passing of the Customs and Inland Revenue Bill.

MR. BRYCE: The matter is left in a very unsatisfactory position. The right hon. Gentleman wishes to retain the sub-section because he is convinced the Customs and Inland Revenue Bill will pass. We intend to oppose that Bill, and we think it is very likely we shall defeat it, or, at any rate, very largely modify the application of funds under it. By accepting the Lord Advocate's Amendment we put ourselves in the position of assenting to a provision which we do not intend to carry out and which we intend to oppose. The best suggestion made so far is that we should pass the Report stage of this Bill until after the other Bill has been disposed of.

MR. CHAPLIN: I will undertake to consider very carefully all the suggestions which have been made.

DR. CAMERON: The right hon. Gentleman is a young Minister, but he is already an adept in the phraseology of office. I am an old Parliamentary hand, and have heard too many vague declarations by Ministers to be satisfied with the promise of the right hon. Gentleman.

MR. MARJORIBANKS: We want to bind the Government to find the money by a particular method of taxation of some sort or other, and, therefore, I shall support them on this occasion.

(5.50.) The Committee divided:—  
Ayes 261; Noes 110.—(Div. List, No. 80.)

Amendment proposed,

In page 4, line 18, to leave out from the word "against" to the end of sub-section (5), and insert the words "or credited in manner

provided by any Act hereafter passed respecting the application of any Customs or Excise Duties paid to the Local Taxation (Scotland) Account.—(*The Lord Advocate.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and negatived.

Question put, "That those words be there inserted."

(6.10.) The Committee divided:—  
Ayes 253; Noes 108.—(Div. List, No. 81.)

Bill reported; as amended, to be considered upon Friday next, at Two of the clock.

#### ALLOTMENTS ACT (1887) AMENDMENT BILL.—(No. 147.)

Considered in Committee.

(In the Committee.)

Clause 2.

Amendment proposed,

In page 1, line 25, to leave out, after the word "acquired," to the end of the Clause, and add the words "shall pass a resolution to that effect, and thereupon the powers and duties of the Sanitary Authority under the principal Act, so far as regards that district or parish, shall be transferred from the Sanitary Authority to the County Council, and the County Council, in substitution for the Sanitary Authority, shall proceed to acquire land in accordance with the principal Act, and otherwise execute that Act in the said district or parish.

"Provided that this section shall not affect the property in, or any powers or duties of the Sanitary Authority in relation to, any land which, before the passing of the said resolution, was acquired by the Sanitary Authority under the principal Act."—(*Mr. Ritchie.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and negatived.

Question proposed, "That those words be there added."

(6.25.) MR. F. A. CHANNING (Northampton, E.): I rise to a point of order. I wish to ask whether, as a matter of fact, after the rejection of the Amendment I moved on the last occasion this Bill was before the House, the words "Sanitary Authority" in the third line were not passed, but that the remaining words were not put by you to the Committee.

THE CHAIRMAN: The words were not added. The question put was that

the words stand part of the Amendment. Now the question is that the Amendment be added.

(6.26.) MR. F. S. STEVENSON (Suffolk, Eye): I have an Amendment, to move to the Amendment.

THE CHAIRMAN: That cannot be done. The sole question is "That the words be there inserted."

(6.27.) MR. F. S. STEVENSON: I wish to add, at the end of the Amendment, the words "or by the compulsory hiring of land." The effect of the Amendment would be to enable County Councils not merely to acquire land in accordance with the provisions of the Act, but also by a compulsory hiring. I move these words because, in the first place, a sort of challenge is thrown out by the Amendment, which goes out of its way to specify that the acquisition of land shall be in accordance with the provisions of the Act, and therefore a question is raised whether the methods of the acquisition cannot be, to some extent, enlarged.

THE CHAIRMAN: Order, order! The Amendment cannot be entertained. The question was put to the Committee at the last Sitting, "That those words stand part of the Amendment," and that having been decided in the affirmative it is impossible to alter the words.

(6.28.) MR. F. S. STEVENSON: And if that is carried, shall I be in order in moving the addition of these words?

THE CHAIRMAN: They would not make sense, as a matter of fact.

MR. F. S. STEVENSON: Shall I be in order in adding words to a similar effect?

THE CHAIRMAN: If sense can be made of them.

\* (6.29.) CAPTAIN VERNEY (Bucks, N): I wish to address the Committee in opposition to the Amendment. At the last sitting on this Bill, I asked the right hon. Gentleman if he would accept my statement that if his Amendment were carried no spade could be put into allotments, provided under the Bill, until next Michaelmas two years. The right hon. Gentleman dissented, and I now propose to ask the Committee to follow me through every

stage from now until next Michaelmas two years, and I will show what will be the effect of this Amendment. I have here a list of all the different steps that will have to be taken in order to secure allotments. The first date is the 20th May, the day on which the next meeting of the Rural Sanitary Authority will be held. If, instead of the Rural Sanitary Authority, the matter is taken over by the County Councils, they would be in the same position. Notice should be given on the 10th of May. On the 7th of June it may be adopted unanimously, and on the 12th of July the Report may be received and adopted, and the clerk may be directed to give the necessary notice. What I want the Committee to observe is that, whatever else may take place between now and next September, September is the earliest date when under the Public Health Act a notice can be put in the newspapers, and it then has to be advertised for three weeks consecutively. On the 27th of September the authority can petition the County Council, and in October the owner can receive his notice that certain land is to be applied for. In November the County Council will receive the petition, and the earliest day on which an inquiry can be held under the Act is the first of December, if the result of the application be favourable, but otherwise it cannot take place till January. In January, 1891, the County Council can receive the Report, on which to found a Provisional Order, but this can have no force until it has been confirmed by Parliament, which would be in the Session of 1891. But the Bill may be opposed before a Select Committee, and involve the county in considerable expense. After this, notice must be given to the tenant, and this could not take effect until Michaelmas, 1891, unless it should happen that the tenant is under special contract with the landowner, when notice might be given at Lady Day. But it is not likely that the Provisional Order could be confirmed by Lady Day, 1891, and even then, if the tenant has no special contract with the landlord, the notice to be given to the tenant would be for 12 months from Michaelmas, 1891, which carries us on to Michaelmas, 1892. I hope the Committee will agree that this is not to be made a Party question. Why should it

be? These are notices by Act of Parliament and are not Party matters. The Act fixes certain hard and fast dates from which there is no escape. I do not believe the right hon. Gentleman wishes to keep everybody waiting till Michaelmas, 1892, and although the process has been termed "short, sharp, and summary," I submit that that is a misnomer, because no spade can be put into the soil until Michaelmas, 1892. Would it not be better that he should move to report Progress, and, in the meantime, devise some provision more in accordance with his wishes, for I venture to think that hon. Gentlemen on the other side of the House do not want to strengthen my hands by enabling me to go down to my constituents and say, "This is the best Her Majesty's Government, have to offer you." I am sure it must be the wish of both sides of the House to give the people something better than the Amendment of the right hon. Gentleman. It is possible that the right hon. Gentleman has so much to occupy him that the fact has escaped him that the dates in the Act of Parliament are all hard and fast; it is possible that if he can see his way to offer something more to the point he will be glad to do so. I do not want to propose a hostile Amendment that may be regarded as of a Party nature; nor do I see why it should be so regarded. The Bill, as I sent it down to Twyford, as originally drawn would have involved a period of three years' delay; now we have got down to next Michaelmas two years, which, I think the Committee will agree, is not a satisfactory solution of this question to either side of the House. I am sure hon. Members on both sides must desire that something better should be devised. I do not propose to move an Amendment, because I must confess I have nothing to suggest. My desire is to make the Bill operate more quickly, but I can see no way of doing so, because we are tied in this matter by the hard and fast dates of the Public Health Act. I think, however, it would be better not to proceed further with the Bill to-day. I asked the right hon. Gentleman to take the trouble to look into this matter some weeks ago. I am not aware whether he has done so, but, so far as I am concerned, I do not think we can amend the clause at



present in view of the wording of the existing Public Health Act. If the right hon. Gentleman can show that my dates on this subject have no foundation I trust he will do so. If not, I hope he will consent to the postponement of this question.

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE, Tower Hamlets, St. George's): The hon. Member has taken up a considerable part of the very small amount of time that remained before 10 minutes to 7 arrived. The hon. Member has not been speaking upon the Amendment, but has been endeavouring to show that the processes required to be taken under the Lands Clauses Consolidation Act occupy a considerable time to be carried into effect. The Committee will hardly believe that the Amendment they are discussing transfers, in case of default by the Local Authorities, all the powers under the original Act to the Committee of the County Council. If there is to be an appeal at all, the one now proposed may fairly be regarded as satisfactory. The hon. Member admits that no Amendment to the proposal can be made which would shorten the period of which he spoke. The hon. Member, therefore, has been speaking against an Amendment which is intended to give a right of appeal where the Local Authority refuses to act. I quite admit that the processes under the Lands Clauses Consolidation Act are not speedy, but I hope that where the Sanitary Authority does not fulfil its duty the Committee of the County Council will, in nine cases out of ten, be able to acquire land voluntarily, and that thus there will be no necessity for the County Council to resort to the cumbersome process of obtaining a Provisional Order. I am not prepared to say that the whole system of Provisional Orders does not require revision, but such a reform as that cannot be attempted by means of a Bill of this kind. I hope the Committee will agree to the Amendment.

SIR W. HARCOURT: The right hon. Gentleman has thought it necessary to find fault with the hon. Gentleman behind me for having made a very able and instructive statement, the accuracy of which, as I understand, the right hon. Gentleman himself does not dispute. The hon. Member has a peculiar right

*Captain Verney*

to speak upon the point, he having been elected on the platform of the Twyford Allotments. The subject is one of great interest to county Members and their constituents, and the hon. Member was quite right in pointing out that nothing could be done under this clause for more than two years. One of the great difficulties of the Bill is that it is so framed as to render it impossible to introduce into it provisions which would make it effectual. I propose that we should now accept the Amendment of the right hon. Gentleman, and add any provisions which we can introduce into the four corners of it. I hope the right hon. Gentleman will not be impatient of these Amendments. I believe there is only one hon. Gentleman who really is impatient, and that is the hon. Member for Bordesley (Mr. J. Collings), who cannot bear to see any Bill objected to that is introduced by Her Majesty's Government. I would suggest the one fact for the consideration of those who say that we on this side are overloading the Paper with Amendments. I have counted the Amendments, and I find that there are 25 on the Paper, of which 14 have been put down by Unionist Members and 11 by the unfortunate Separatists. Inasmuch as the majority come from the Unionist Party, I hope there will be some toleration in the discussion of our Amendments, the object of which is to give greater effect to the working of the Bill.

MR. CHANNING: I do not rise to object to this Amendment, but I would remind the right hon. Gentleman that on the Second Reading of the Bill I myself made a more practical suggestion, namely, that the powers of the Bill should be transferred to the County Council; that would make an important difference.

Question put, and agreed to.

Clause, as amended, added to the Bill.

Clause 3 omitted.

Clause 4.

MR. F. S. STEVENSON: I beg to move the Amendment which stands in my name, namely—

"Clause 4, page 2, line 27, after 'boly,' insert 'not more than one-fourth of whom shall be aldermen.'"

\*MR. RITCHIE: In declining to accept this Amendment, my answer to the hon. Member is this, that the County Council is a thoroughly Representative Body, electing their own aldermen, and it would be invidious to restrict them as to the composition of the Committee.

MR. CHANNING: I am bound to say that I think my hon. Friend quite justified in moving this Amendment, which I hope he will press to a Division.

Amendment put, and negatived.

It being after ten minutes to Seven of the clock, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again this day.

#### WESTERN AUSTRALIA CONSTITUTION BILL—SELECT COMMITTEE—PERSONAL EXPLANATION.—SIR G. CAMPBELL.

SIR G. CAMPBELL: Sir, I desire to make a personal explanation. I understand that just and reasonable offence has been given by a paragraph in an evening newspaper attributing to me certain remarks about the proceedings of the Western Australia Committee, of which I was a member. I had no idea of communicating anything to the Press, and I desire distinctly to state that to the best of my belief I did not use the words which are attributed to me. If any expressions used by me in private conversation have given rise to such a report I very much regret it, and I unreservedly withdraw any imputation either upon the constitution of the Committee, or upon the conscientious execution of their duty by any of its members.

\*MR. W. H. SMITH: Sir, I am sure the House will have heard the personal explanation of the hon. Gentleman with great satisfaction. The hon. Gentleman is an old Member of this House, and I am confident that it would have been with the very greatest regret that any of us would have learned that he had sought to impugn the perfect fairness of any Committee of which he was a member. The House regards the honour of its Committees with great jealousy, and we have reason to know that the country is confident that the Committees of this House discharge their duties uniformly, with the greatest possible conscientious-

ness, with a due regard to the important trusts which are confided to them, and with a most earnest desire to arrive at a just conclusion.

SIR G. CAMPBELL: I beg to thank the right hon. Gentleman for what he has just said, and to express my entire concurrence in every word he has spoken.

#### BUSINESS OF THE HOUSE.

\*MR. W. H. SMITH: I understand, Sir, that my right hon. Friend the Chancellor of the Exchequer undertook that I should state this evening the business to be taken next week. It is the intention of the Government to ask the House to read the Local Taxation Bill a second time on Monday, and after that Bill has been read a second time to take the remaining clauses of the Budget Bill.

MR. J. MORLEY: In case the discussion on the Local Taxation Bill should not be completed on Monday night, will it be resumed on Tuesday?

\*MR. W. H. SMITH: I should hardly consider that probable; but if the discussion on that Bill is not concluded on Monday night it will certainly be resumed on Tuesday morning.

#### ARMY AND NAVY EXPENDITURE (1890-91).

Return ordered—

"Showing the Estimated Expenditure for the year 1890-91 on the Army and Navy, and the provision to be made for it, under the following heads:—

I. Estimated Expenditure.		£.
1. Army Estimates	..	..
2. Navy Estimates	..	..
Total Ordinary Expenditure		_____
3. Estimated Expenditure on New Ships and Armaments under the Naval Defence Act, 1889-90, other than contained in the Navy Estimates	..	..
4. Estimated Expenditure on Ships and Armaments for the Australian Squadron under the Imperial Defence Act	..	..
5. Expenditure on Fortifications under the Imperial Defence Act	..	..
6. Expenditure on Armaments under the Imperial Defence Act	..	..
7. Estimate on New Barracks out of Budget Surplus	..	..
8. Grant to Volunteers out of Budget Surplus	..	..

Estimate of total Extraordinary  
Expenditure .. ..

Estimated total Expenditure..

## II. Provision made for Military Expenditure.

Total Estimated Expenditure for  
the year 1890-91 ..

1. To be voted on Army and Navy  
Estimates .. ..

2. Charged on the Consolidated Fund  
by the Naval Defence Act ..

3. To be paid for out of Unexpended  
Balance of the Ship-building Vote  
of the Navy Estimates, 1889-90,  
as provided by the Naval Defence  
Act .. ..

4. Provided for out of Budget Sur-  
plus .. ..

Total provided for out of  
Revenue of the year 1890-91

5. Balance to be provided for out of  
Loans raised under the Imperial  
Defence Act and the Naval  
Defence Act .. ..

—(*Mr. Shaw Lefevre.*)

## GAS UNDERTAKINGS (LOCAL AUTHORITIES.)

\* Return ordered—

"Relating to all authorised Gas Under-  
takings in the United Kingdom belonging to  
Local Authorities for the year ended the 25th  
day of March, 1890."—(*Sir Michael Hicks  
Beach*)

Return presented accordingly; to lie  
upon the Table, and to be printed.  
[No. 167.]

## GAS UNDERTAKINGS (OTHER THAN THOSE OF LOCAL AUTHORITIES.)

Return ordered—

"Relating to all authorised Gas Undertakings  
in the United Kingdom other than those of  
Local Authorities for the year ended the 31st  
day of December, 1889."—(*Sir Michael Hicks  
Beach.*)

Return presented accordingly; to lie  
upon the Table, and to be printed. [No.  
168.]

## VOLUNTEER FIRE BRIGADES (EXEMP- TION FROM JURIES) BILL.—(No. 65).

Order for Second Reading upon  
Wednesday, 21st May, read, and dis-  
charged.

Bill withdrawn.

The House suspended its Sitting at  
Seven of the clock.

The House resumed its Sitting at Nine  
of the clock.

(9.3.) Notice taken, that 40 Members  
were not present; House counted, and  
40 Members being found present,

## ORDERS OF THE DAY.

### SUPPLY.

Order for Committee read.

Motion made, and Question proposed,  
"That Mr. Speaker do now leave the  
Chair."

## EDUCATION (PAYMENT BY RESULTS).

\*(9.5.) SIR R. TEMPLE (Worcester,  
Evesham): I rise to move the Resolu-  
tion that stands in my name—

"That the present system of payment by  
results is injurious to Education and should  
therefore be abolished, and that the condition  
of a school should be tested not by the indi-  
vidual examination of every scholar but by the  
general inspection of the institution as a whole,  
the grant being distributed as a capitation  
allowance on the average attendance, freedom  
being allowed to the teachers in classifying each  
scholar according to his aptitude and pro-  
ficiency."

I desire to introduce to the House an  
abstract principle which is of vital impor-  
tance to a great body of teachers, 40,000 in  
number, to tens of thousands of school  
managers, and to millions of young  
children of the rising generation.  
Sir, having the fear of your ruling  
before my eyes, I shall make no  
allusion to the New Code, which seems  
to be giving much satisfaction to this  
House and to the country. And I shall  
make no appeal to my right hon  
Friend the Vice President of the  
Council (Sir W. Hart Dyke), ex-  
cept to ask him if he approves of the  
principle and believes it to be embodied  
in the New Code, to say so and earn the  
gratitude of the educational world. I  
and those who act with me are not so  
vain and over-confident as to expect that  
such a principle as this can be carried at  
once. It is a great deal too good to be  
given effect to all at once. But if it

turn out that he has embodied even a part of our principle in the Code we shall accept that as a step in the right direction and as an instalment. We shall be thankful for any part of it that can be realised, although our sense of gratitude will be mixed with the expectation of favours to come in future Codes. My Resolution is divided into two parts—first, the abolition of the present system of payment by results; and, second, the perfect freedom of classification. Payment by results is inevitable; indeed, the State will never pay without knowing what it is paying for. But I object to the present system of payment, which takes for its basis a wrong result, and tests that result in a manner equally wrong. I must explain briefly what that system is. There is a small fixed grant and a Merit Grant, which are given upon general considerations. But more than two-thirds of the existing Government grant are distributed after individual examination of the scholars, in all the subjects of instruction. Upon that examination, as a whole, a scholar is either passed or not passed. The grant is allowed only on those who pass. It operates in this way. If a school having every possible advantage succeeds in passing, say, 95 or 99 per cent. of its scholars it gets a high grant. If a school that is poor and that has every possible disadvantage passes only 75 or 85 per cent. it gets a poor grant. The Merit Grant ought to be given, no doubt, upon general considerations; but, as a matter of fact, Her Majesty's Inspectors are so much occupied with the results of the examinations that, generally speaking, the Merit Grant follows the examination grant. It often acts as a sort of cap upon the examination grant. Now, what are the examinations? This individual examination of every scholar is conducted in every one of the school subjects, which on the average are five or six in number. There are about 5,000,000 scholars in the country, and this, multiplied by five or six, gives no less than from 25,000,000 to 30,000,000 examinations conducted within the year. Sir, the imagination staggers under this load of figures! Such a mass of examinations cannot possibly be properly con-

ducted, though the Inspectors undoubtedly do all that can be done by able and skilful men. The staff of Chief Inspectors, Deputy and Assistant Inspectors, serving under my right hon. Friend, all told, only numbers 350 persons. How can they properly conduct 30,000,000 of examinations each year? Now, several evils arise from this system. The examinations are necessarily rapid, mechanical, perfunctory, and superficial. In saying that, I cast no blame on anyone. I only say these are the necessary consequences of the present system. Then there is great uncertainty with regard to the examinations, owing to the different times at which they are held. A school examined when snow is on the ground will be in a much more unfavourable position than a school examined in May. Again, there are constant and large migrations of children from one school to another, so that when the examination comes round half the best scholars of a school may have gone elsewhere, their places being taken by new-comers, like raw recruits, who must yet be presented for examination, the result being very injurious to the grant. The true outcome of the joint labour of teacher and scholars is never tested. The school is judged, not as it is all the year round, but as it may happen to look on the examination day. The House would be surprised if it knew the extent to which this migration goes on in London. Moreover, the examination refers only to instruction of the intellect, and that is only a part, and not the most important part, of education. There is an education beyond that which refers mainly to the development of the moral qualities, the strengthening of the mental fibre, and the formation of character. This part is wholly untouched by the examination. Then this system tends, of course, to cramming the scholars, not with knowledge that can be digested and assimilated, but just enough learning to show on the surface before the Inspector. The whole attention of teachers is concentrated upon the matters which are tested by examination, and the consequence is that the weaker children are neglected. The teacher himself necessarily looks to those who can earn grants. The prosperity of the school and the character of the teacher

depend upon the grants. Of course, being human, the poor teacher concentrates his attention upon the grant-winners, leaving the non-grant winners in the lurch almost unavoidably. I am sure the House will see that this system is very hard upon the poor. For instance, schools in Whitechapel, where the children are ill-fed and ill-cared for, and came from squalid homes, in which they are often obliged to stay for domestic duties, thus making their attendance irregular, are placed in the same category with schools in Pimlico which have every possible advantage, where the children's brains are fed with good nutrition, and where nothing diverts them from attending well. The Whitechapel School may work as hard, or harder, but can never earn as much as the Pimlico School. The effect of the system is that the grants are given to those who can get on without them, and are withheld from those who cannot. The bounty is bestowed largely on those who need it least, and grudgingly on those who need it most. Surely this system is a misapplication, almost a perversion, of the scriptural text—

“To him that hath shall be given, and from him that hath not shall be taken away even that which he hath.”

Lastly, it yokes together children of unequal capacity in the same class. I will explain this latter point more particularly when I come to the second part of my subject. With all these evils, I say that the system fails to test the results properly. Its failure is utter and complete. It is administrative only, and not educational at all. It exists only for the distribution of the Government grants. It involves a fundamental misconception of the purpose and nature of the Government grant. The principle on which the grant was intended to be given was not *detur meliori*, or *detur digniori*. It was not to be a prize giving. The grants were intended to help the halt, the maimed, and the poor, and to enable them to level themselves up and elevate themselves in the social scale. They were intended essentially to give help not to those who can help themselves, but to those who really need assistance in order that they may have a chance in the struggle of our national life. If that

*Sir R. Temple*

is the principle of our grants, then I say that the existing system of payment by results ought to be abolished absolutely—that is to say, there should be no more individual examination. For them there should be substituted a Report from Her Majesty's Inspector, which would furnish a true test of the educational result. I submit that this Report ought to be made as the result not of a visit at a stated time, of which due notice has been given, so that everything is dressed and marshalled in review order, but of several casual visits without notice, so that the teacher may be taken unawares, and the school be seen in its working dress. There would then be a proper Report; the Inspector would look at the building and the apparatus; he would see whether discipline was maintained, and whether the teacher had the faculty of command; whether with nervous force he made the children follow his voice and eye; he would observe whether the children were smart, clean, and well-mannered, and he would see the teacher instructing and examining them, which is the way to discover what the character of the instruction is. Again, the Inspector could see whether the teacher was acquainted with the social condition of all the children and in touch with the parents, in order to secure their co-operation for regular attendance, and he would note whether any of the children were famished, or came breakfastless to school, so that, if this were the case, it might be remedied by some private agency. He need not examine the children individually. Why should he, if he sees the instruction given, if he hears the children being questioned by their teacher? Thus relieved from the present fearful drudgery of examination the Inspector would be able to visit the school more than once in the year, and the Report would be worth a hundred times more than the result of the present examination. The Inspector then would declare whether the school was efficient or not efficient. If it was not it would get no grant; if it was it would get a grant, distributed by a capitation allowance on the average attendance, and there would be the same capitation allowance for all schools that were efficient. Undoubtedly this recommendation favours the poor schools.

It is for the poor, indeed, that I am pleading to-night. My scheme would give assistance where it is most needed; it applies the State resources just where they would be most useful. If a school was not efficient it would receive warning. Notice would be served upon the school that unless it rendered itself efficient within a certain time it would lose the grant altogether. That is the right system. A Report of this character would have great importance, and the managers of a school that received such a warning must have an opportunity of showing cause against the Report by means of an appeal from it to another authority. If an Assistant Inspector made the unfavourable Report there should be an appeal to the Chief Inspector; and if the managers were still dissatisfied they should have an appeal to my right hon. Friend the Vice President of the Council (Sir W. Hart Dyke), who would send down a special official to verify the Report. The Report will be a very real and serious affair, and that ought to be the case, because it will be based on full and complete information. I am aware that those who differ from me will say that under the system I propose there would be no incentive to the teacher to excel, because his school receives the capitation grant upon efficiency, without variation, according to the degrees of that efficiency. I maintain, on the contrary, that the teacher would have more incentive than he ever has had yet, because his professional prospects will depend upon this Report, which embraces not the instruction only, but everything relating to the institution. The anxiety of teachers with regard to the Inspector's Report is already intense, and this anxiety would be still further intensified when the Report is wider and more searching than heretofore. Nothing can be more vain than to say that the teachers will have no incentive. Under our plan they will be spurred on to greater efforts. It might be said, perhaps, that if a school finds that it can get a good grant without coming up to more than average efficiency it will have no motive for improvement. If, however, the Inspector has allowed a poor struggling school to be classed as efficient and to receive the grant, in order that it may have the means of

improving itself, and yet the school does not improve, the Inspector will make an unfavourable Report, and will give it to understand that if it does not improve within a certain time the grant will be withdrawn. I admit that this throws the onus on the Inspectors. That is as it should be. I have great confidence in the Inspectors. I know their worth, and I think the proper plan is to put the responsibility upon them. The existing plan keeps in a bad state schools that are poor by virtually withholding from them the grant which they need for rendering themselves efficient. It is not too much to say that the present system establishes inefficiency. Our plan would alter that altogether. It would give those schools that are poor such a good grant as would enable them to improve, and, by means of Her Majesty's Inspectors, we should take care they did improve, and that they made good use of the bounty of the State. I have only to deal with one point more in this part of my subject. I propose to abolish the system of individual examination as regards the elementary subjects and the class subjects. The elementary subjects are the three R's; the class subjects are those which are taught to a whole class at once, such as geography and simple English literature; hence its name, "class subject." There is a third set of subjects, called specific, which relate to certain sections of science, certain departments of foreign literature, and certain branches of art. These are subjects undertaken only by a few selected from the school classes, and with respect to them I propose to keep up the system of individual examination. Upon these the examiners may work their will to their hearts' content. I now come, Sir, to the second part of my subject, which is absolute freedom of classification. The present rigid system of classification is a direct consequence of the system of individual examination. If we have the present system of payment by results, we must have a corresponding system of classification. If we have a system of individual examination, the tendency must be that the children will go on yearly from standard to standard. It does not necessarily follow that the children are classed according to age. But the tendency runs strongly in that

direction. Now, nothing can be more fallacious than to put children seven or eight years old from Whitechapel in the same category with children of the same age from Pimlico. Children having been put at seven years of age to Standard I. must, whether fit to do so or not, go on to the Second Standard the following year, because the grant cannot be obtained two years running in the same standard. In fact, he had better stay in the First for a while. Perhaps a child gets from the First to the Second Standard with difficulty, and with still greater difficulty in to the Third; and the difficulty increases with every standard to which he passes. Thus he lags behind, or is over-pressed throughout his career. But if there were not individual examination the teacher would keep the child in the same standard as long as it was good for him. I admit that if a scholar shows marked ability it is possible for him to advance from the First Standard to the Third at once, skipping over the Second; but in practice it rarely, or never, happens. Supposing a teacher has promoted a scholar over one standard and that he fails to pass in the next or higher standard, the grant is lost. Then the teacher will be blamed for having incurred the responsibility of putting the scholar forward, and the consequence is that no teacher will undertake to do it. Furthermore, as the six Standards are arranged according to the years between the ages of six and seven, the skipping over one standard is apt to disarrange the career for the remaining years. The consequence of the present system is that children are pushed on year after year without any regard to their fitness or capacity, and that while some children are backward and overpressed, others are forward, and yet have to be kept back in company with their fellows, as the teachers say "simply to mark time." What is the result upon the classes? There is evidence of the result in the Library of this House. In any particular class about 25 per cent. of the children are too good for it, another 25 per cent. are not good enough, the remaining 50 per cent. being on the level of the class. That is not as it should be. That, too, is what I meant when, in the earlier part of my speech I, said that

*Sir R. Temple*

the system yokes unequal scholars together. The teacher in such a class has to adopt three methods of teaching in each class. He must have one plan for those who are not up to the mark, another for those who are above the mark, and a third for those who are equal to the average. The House will see that this greatly prejudices the system of instruction. Further, it is manifest that a particular scholar may be better in one subject and worse in another. Suppose he is very clever at figures, rather clumsy in handwriting, and with no taste for reading. Under a proper system of classification he would rise to a high standard in arithmetic, and be placed in a much inferior standard in handwriting and reading. Under the present system he must be kept back in his arithmetic because his writing is bad and his reading defective; or if he be put into a superior class owing to his proficiency in arithmetic, he must struggle on as he best can in the other two subjects. And the same remark applies equally to the class subjects which I have already described. What can possibly be the use in any rational system of instruction of such regulations as these? Yet this is the state of things that inevitably prevails, and the authorities say there is no remedy under the present system of a grant on a pass by each individual scholar in an examination in the three subjects. The whole affair comes to be regarded in a mercenary light—so many shillings for this, so many for that, and so forth—all which is unworthy of the cause of education. According to the existing rules that course cannot be altered, but if payment upon individual examination is abolished, that defective system of classification will be abolished with it, and the two evils will vanish simultaneously. Every scholar will be placed according to his aptitude in the class where he can get the teaching suitable for him, and there will be uniformity according to the rightness and fitness of things. Generally the scholars will be rightly classed, and not wrongly, as at present. They will be much of a muchness in each class, and there will be one method only in that class (instead of three plans) suited to all alike. The instruction then will

be greatly facilitated. I beg the House to remember that our teachers are worthy of confidence, and may be depended upon to classify their scholars rightly. We have trained and certificated them to be what they are. We may be proud of what we have made them to be. I believe that no country in the world is better served than England is by her schoolmasters and schoolmistresses. If it be said that the motive or incentive for pushing the teachers, with all this freedom, will lack a scholars on—I reply that the parents will see to that! Every parent knows that unless his son or daughter can be pressed on, he or she will have to stay at school till the age of 12 or 13; whereas, if the child is well advanced and passes a superior standard, he or she can get away at 10 or 11 and at once become a wage-earner. Besides other and better motives the prospects of wage-earning makes the parent anxious about his child's progress. By intrusting greater freedom of classification of the children to a body of ladies and gentlemen who are thoroughly worthy of the national confidence, there is no danger of want of pressure being put upon the children. The parents put pressure upon the teacher, and that pressure we may be quite sure will be communicated from the teacher to the scholar. Then, lastly, it is desirable that this abolition of individual examination and this freedom of classification should be absolutely unconditional and unreserved. There should be a full and frank admission of the principle, and that admission should not be whittled away by various conditions, caveats, and reservations in the Code. I am not alluding to the New Code, but such limitations have happened, and may happen again. I ought to know the official mind, and I am sure that it is slow to part with control. When it has had for a series of years vast interests under its shackles, it is very unwilling that these fetters should be struck off. A despotism of this sort dies hard! Unless we have the thing as clear as noonday, so that all who run may read—master, scholar, and parent—then this House will not have done all that is desirable. Therefore, I am anxious to obtain the sanction of the House

to an abstract principle which is clear and definite and which may be considered as not the abolition of payment by results, but as an improved system of payment by real results. Whether he sees his way to fully carry out the principle or not, I am sure my right hon. Friend will not dispute its justice. I hope he will carry it out unreservedly. He will thereby earn the gratitude of the educational world, and the blessing of tens of thousands of families all over the country. The recognition of this principle by the House to-night will gladden the hearts of multitudes; will bring peace to their minds, lighten their labours, sweeten their existence. Still more, it will help the schools of England to realise the ideal of what they ought to be—that is to say, the homes of national virtue, the abodes of practical culture, and the centres of honest effort. I beg to move the Motion standing in my name.

#### Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the present system by results is injurious to Education and should therefore be abolished, and that the condition of a school should be tested not by the individual examination of every scholar, but by the general inspection of the institution as a whole, the grant being distributed as a capitation allowance on the average attendance, freedom being allowed to the teachers in classifying each scholar according to his aptitude and proficiency,"—(*Sir Richard Temple*.)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

\*MR. SYDNEY BUXTON (*Tower Hamlets, Poplar*): I am very glad I have the honour of seconding the Motion, if only to show that there is no Party feeling upon this question. I cannot refrain from regretting, however, that it should have been necessary to bring it forward at this particular time, because to ascertain extent it interferes with the discussion of the Code, which we understand from the right hon. Gentleman will come on before Whitsuntide. But the right hon. Gentleman will, I feel sure, understand this, that those who



take part in this Debate do so in no sense antagonistic to this Code. On the contrary, we congratulate him and thank him for the new departure he has taken. The term "payment by results" is usually applied to the system under which the individual examination of each child is taken as the basis of the payment of the grant; but it has come to include also the system of payment by the piece. Now, Sir, I am not ashamed to confess that, as a Member of the Royal Commission on Education, my views on this subject were very much modified by the overwhelming and almost unanimous nature of the evidence placed before us, not only by teachers and managers, but by all interested in elementary education. But in condemning the system of "payment by results" I am not prepared necessarily to condemn its original introduction thirty years ago. At that time the system of national education was so gross and so bad that it was necessary for the State, in extending its grants, to take care that it had some guarantee of good results for its money. At the same time, I blame those who succeeded Mr. Lowe as Vice President of the Council, for not having been able to distinguish between the use and the abuse of such a system, and for not having sooner appreciated the evils which followed its vast extension. It is highly probable, indeed, that the very name itself—"payment by results"—has had something to do with the long period during which the system has existed. Everyone desires payment by results; but, unfortunately, under the present system, we get results we do not want, and pay for results we do not get. My hon. Friend has dwelt at length on the evils which have followed from the existing system. It leads to overpressure and underpressure. It leads to cram instead of to thoroughness; and education that is not thorough does not last. I think we all feel that one of the great evils of our system is that children leave school at too early an age and soon forget all the instruction they have received. The whole system of education has become mechanical, uniform, and inelastic. One of its chief blots, moreover, is that, under it, the grant practically depends on one day's work instead of on the work of

*Mr. Sydney Buxton*

the whole year. The earning power of that day depends, moreover, on two variable quantities, the temper of the Inspector, and the temper of the clerk of the weather. The examination is necessarily somewhat perfunctory; and causes a vast variation in the amount of grant for exactly the same amount and goodness of work. The system is demoralising to the teachers and to the parents, as well as to the Department itself. The question is, How are we to replace this system? What other system can we put in its place, that will still give to the State a guarantee that its money was being properly expended? If we could start afresh I do not hesitate to say that the ideal system of national education would be that we should have strong representative Local Authorities, who should have the fullest possible power over the elementary schools in the districts, and should be responsible for the sufficiency and efficiency of those schools. The State, instead of dealing with individual schools, should distribute the grant not according to the needs or the results of the individual schools, but according to the needs and circumstances of each particular district. It should pay its grant direct to those Local Bodies, and make them fully responsible for the mode in which the money was expended. But that time was not yet. And, meanwhile, it is idle to compare what is going on abroad, or in our colonies, with our system at home, because, as my hon. Friend knows—for he is one of the chief props and ornaments of the voluntaryists—we have a dual system of School Board and voluntary education. The position is this. Three out of every five of our elementary schools are under practically irresponsible managers. This state of things was due, on the one hand, to the gross neglect of the State in the past; on the other, to the self-sacrifice and zealous endeavours of those who, when the State neglected its duty, took a part of that duty upon themselves. The result was that, when the State did at last realise its responsibility, it found the ground very much covered; and, ever since, in consequence of this dual system, the nation has been hampered on all questions of national edu-

cation, because, unfortunately, both in and out of the House, they have to be looked at not only, or perhaps chiefly, from an educational, but from a political, an economical, and a sectarian point of view. The result of this state of things is that the Department pays every year something like £2,000,000 to these irresponsible managers, and that for every £1 these managers provide the State provides £3. Further, if we are going to have abolition of fees, upon which the House, I think, is pretty generally agreed, the proportion that these managers will provide will then be but as 1 to  $4\frac{1}{2}$  contributed by the State. This is a very serious point in the consideration of how far we can relax the present system. The Resolution moved by my hon. Friend seems to me to involve two principles with which I cordially agree. In the first place, it proposes to abolish altogether any system under which a grant paid to any school shall have as its basis the individual examination of every child in the school. Secondly, it proposes that the grant shall be, as far as possible, a fixed grant, to be paid, not in small pieces, but in one sum as a general fixed grant, dependent on the general efficiency of the school. With this principle I cordially concur. But I do not know that I quite go so far as my hon. Friend when he says that, in the practical carrying out of his proposition, this fixed grant should depend on the ascertained pecuniary needs of the school, and not on examination results. If that means that the educational results in the school are not to be taken into account in assessing the grant, I am afraid I can hardly agree with him; but if it means that educational results are not to be the only results that are to be taken into account in assessing the grant, then I cordially agree with him. I confess I could not quite go with my hon. Friend as to the system of inspection he proposes to substitute. He said that, under the ideal system, it would not be necessary for the Inspector to examine the children at all; but that he would be able to see how the children were taught, and ascertain the general efficiency of the school, by a series of visits. As regards the series of visits, I am entirely with my hon. Friend; but, I confess, that, in my opinion, under any system by which the State gives grants

to these schools, certainly so long as Voluntary and Board schools exist side by side, we must have a thorough inspection and examination, not only of the moral tone of the school and the intelligence of the teachers, but also of the efficiency of the education which is given, especially as regards the three R's. But this does not in the least imply that a particular portion of the grant is to depend on a particular examination, or that the Inspectors are to examine individually all the children in the school in order to base the grant in any shape or form on a system of percentages—a system which we agree in condemning. But I do not see that we can entirely get rid of inspection and examination. It seems to me that the right principle—and there I agree with my hon. Friend—would be to get rid, as far as possible, of the whole system of percentages, and to give the largest possible fixed grant. In my opinion, it is better to have one large fixed grant rather than, as proposed in the Code of this and of last year, in the one case three and in the other two fixed grants. This grant should depend upon the general efficiency of the school, the suitability of the building, the sufficiency and efficiency of the teaching staff, and the suitability and character of the instruction given. Outside this grant, there must doubtless be certain special grants in addition. It is generally agreed that the specific subjects should be taught, and paid for separately. I am bound to say I think it might be expedient and necessary to give besides additional grants to schools teaching efficiently drawing and cookery, and giving manual instruction. I draw a very clear distinction between such subjects as these, and the three R's, together with the ordinary class subjects which should be placed entirely under the fixed grant. I would go further, and would cordially support the recommendation in the Minority Report of the Royal Commission, in desiring that, in addition, further special grants should be given to improve the efficiency of schools where the managers went to the expense of organising teachers, utilising drawing instructors, or science demonstrators; and, again, where they made special arrangements for the instruction of pupil teachers at centres otherwise. I think in all these matters

there might be special grants outside and above the large fixed grant; they would have none of the evils of the old system by leading to cram, and over-pressure in special subjects, while they would do a great deal to encourage schools to improve and bring themselves up to the highest point of efficiency. One other point I would suggest in relation to the fixed grant, that it should be variable in one sense—if the bull may be allowed—so as to give encouragement to the schools at which the poorer class of children attend, and be an inducement to schools in a better position to reduce their fees, namely, by an addition to the fixed grant where the fees were below the average, and by a reduction from the fixed grant where the fees were high. I cordially agree with my hon. Friend that along with this fixed grant the fullest possible liberty should be given to teachers in the classification of children, the choice of subjects, and the methods of teaching. As Mr. Alderson, late one of our Inspectors, has well said, in the attempt to classify children we take what may be called an “average abstract child,” and try to classify all other children on the procrustean basis of that particular abstract child. The whole system of classification has turned, as my hon. Friend says, on the matter of age, whereas the matter of age in elementary schools is, perhaps, the last factor that should be taken into account when we desire to classify children for instruction according to their abilities and attainments. I agree with my hon. Friend that we have reached, and, indeed, I think we have long past, the time when we may place the fullest possible trust in the loyalty honour, and discretion of our teachers. They are very different now as a class to what they were when the Duke of Newcastle's Commission reported. The whole nation has been educated to a higher standard, and our teachers are much better educated, better trained, and far better fitted to carry on school work than they were thirty or forty years ago. I agree with my hon. Friend, and speak from considerable personal experience, when I say that there is no class of men or women in the kingdom more entitled to our thanks and praise for the way in which they have conducted their work. Very arduous and difficult their work is, and

*Mr. Sydney Buxton*

the influence and exertions of our teachers, often to their own personal detriment, have done much to mitigate and diminish the evils of our present cast-iron system of payments by results. To them is due, in very great measure, the improvement in the condition of our schools. Just one other point in connection with the fixed grant, and it is one upon which I lay very great stress indeed, namely, that it is essential, if we are going to pay this fixed grant for the “efficiency” of a school that the minimum requirement of efficiency should be increased, and that we should have a more liberal idea as to what should constitute a suitable school for the elementary education of our children. I regret that in the New Code—I am not going to discuss it now, but I cannot refrain from expressing a passing regret—the minimum requirements for our elementary schools have not been largely raised. We ought to have a higher ideal of structural suitability, and I do not think the minimum scale of accommodation on the basis of eight square feet, laid down by the Department, is anything like sufficient. We ought to have a much more liberal idea of what the staffing in our schools should be. The present minimum, and, indeed, the minimum laid down in the New Code, is ludicrously inadequate. Generally, too, we ought to have a higher ideal of what should constitute the minimum curriculum in our schools. Here, again, the New Code is most disappointingly inadequate. In short, if we are going to improve our system by substituting a fixed grant for payment by results, we must take a broader view of what should constitute suitability of building, staff, and curriculum than we have been content with in the past. One matter further, to which my hon. Friend has alluded. It will be essential, if we are to introduce the one grant system, that the Inspectors should visit the schools far oftener than they do at present. The system is perfectly absurd under which an Inspector judges the school upon one visit. By the introduction of the fixed grant, while the individual power of the Inspector would be diminished, his responsibility would be largely increased. He will be less of a machine, and more of a rational and

responsible being. His responsibility would be increased, because upon the Report of the Inspector the Department must rely to keep the efficiency of a school up to the standard, and they must be strong enough to absolutely withdraw the grant if the school is at all non-efficient. A great deal, both under the New Code as well as under the proposals now made, will depend on how the Department put their powers into force. But I believe we may trust the Department, under the pressure of public opinion, to carry out such a system; we may trust, as my right hon. Friend has said, that they will keep the schools up to a state of efficiency, and that they will have strength of mind enough to refuse the grant if that state of efficiency is not maintained. I believe public opinion will support them in that respect, and that the pressure of the parents will do much also to bring about the consummation we desire. One point more, and it is the last. I must touch on the question of attendance. This fixed grant must depend on the average attendance, and I think our teachers have a great and material grievance in the manner in which compulsory attendance is carried out, or rather not carried out, in many parts of the kingdom. It is very disheartening to them when children do not properly attend school, and still more so when their efforts to secure attendance are not properly supported by the Local Authority. While I am quite sure that no one desires to carry out the system of compulsory attendance harshly, I believe that the parents, as a class, and the country at large, do desire that, when a school is provided, the children should be found in their places there. But, unfortunately, not only in too many cases are the School Board Authorities, or the School Attendance Committees, too lax in enforcing attendance, but also, and especially in London, as my hon. Friend knows very well, Magistrates are too fond of considering the interests of the parents rather than the interests of the children. They forget that, after all, the "child is father to the man," and let off many parents who ought to be convicted for gross neglect of their children's welfare, because it seems hard upon the parents to inflict a fine. The abolition of the fees will, doubtless, do much to improve attendance.

Regularity of attendance will be greatly assisted by the system we propose, under which teachers will have more freedom, greater power and inducement to introduce a more reasonable and more elastic methods of instruction, and to make school more attractive. I believe the House does desire to take a new departure, and I am sure the right hon. Gentleman at the head of the Department is entirely of that opinion. Our only desire is to carry on past progress with greater rapidity, and by improving the condition and the position of teachers in the schools to benefit the children, and, through the children, to benefit the nation at large.

\*(10.20.) THE VICE PRESIDENT OF THE COUNCIL (SIR WILLIAM HART DYKE, Kent, Dartford): I very much fear that, in spite of the grave importance of the matter now under the cognisance of the House, my contribution to the Debate must be but small, and it will be obvious to the House why my observations are restricted. It is only some few weeks since I placed upon the Table a document dealing upon an entirely new basis with our elementary educational system, and although it is perfectly true, and I gladly accept your ruling, Sir, that this Motion is perfectly in order, because this new Code which it has been my duty to place before Parliament is not, strictly speaking, a legislative enactment, yet my position is, practically speaking, analogous to that of a Member who, within a short time of the occasion when he will have to move the Second Reading of a Bill, finds himself suddenly face to face with a Debate dealing not only with the principle, but absolutely the details, of his measure. I can assure the House, and I assure my hon. Friend, that I mention this not from any feeling in the nature of personal complaint—indeed, in political matters nowadays there is no greater mistake than to complain of anything—I make these remarks not in a spirit of complaint, but simply as a reason, and I hope the House will accept it as an adequate reason, why I am practically precluded from taking that part in an educational discussion I should desire, and which the nature of the subject would seem to require. Having said so much, I at once come to the point of what Her Majesty's Government are prepared to do in regard to this Motion. I say at once that, having laid

on the Table of the House a Code, which, in a concrete form, embraces almost entirely the principle of the Motion now before us, I am prepared gladly to accept and endorse this Motion, but I must urge one or two points by way of qualification. First, I should like to mention a point dealt with by my hon. Friend who seconded the Motion in an excellent speech. He referred to the form of the Motion, and I will read the terms, because, although we may accept the broad principle, I am anxious to take a fair view of the situation, and that we should not commit ourselves to any dangerous consequence which may be involved. My hon. Friend (Sir R. Temple) suggests "That the present system of payment by results is injurious to education, and should, therefore, be abolished." Now, I think that in the House generally, and among those outside who take an interest in educational matters, the system of payment by results has been condemned, and, so far as I am concerned, not only in the House, but on more than one occasion outside, I have spoken in condemnation of the system, and can, therefore, accept the proposition without reserve. Then comes a further important point in the Motion—

"And that the condition of a school should be tested not by the individual examination of every scholar, but by the general inspection of the institution as a whole."

That, also, I accept, and I believe hon. Members who read the Report of the Royal Commission will find that is accepted in principle by the Majority and Minority Report. But now I come to a point where I find a discrepancy in the speeches of my hon. Friends who moved and seconded this Resolution, and that is in regard to the question whether the Motion involves the utter and complete abolition of individual examination of scholars. The hon. Baronet who moved the Resolution alluded to a system he would support of a kind of second-hand individual examination, but I think the hon. Member who seconded demanded that the Inspector should hear the children examined, and he, while seconding the Motion without reserve, would so far preserve the system of individual examination that it should be applicable in certain cases. Now, this is important, in view of the fact that within a few weeks I shall have to submit to the

*Sir William Hart Dyke*

House a Vote for £3,750,000 for purposes of elementary education. I think, therefore, it is most important that in voting for this Resolution the House of Commons should know the precise position in which it is placed. For myself, I support the Motion in the light of the speech of the hon. Member who seconded it, who demands that a certain system—not the present system—of individual examination should be preserved. Here I am supported by the authority of the hon. Member for Oxford University, who was also a Member of the Royal Commission. My hon. Friend is, I believe, one of several Members who signed one of these documents we find on our breakfast table in the morning, putting in the most alluring and enticing form a suggestion that we should put the closure upon our dinners and hasten down to make a House at 9 o'clock. He, I believe, is a supporter of this Motion; but I notice also that he signed the Report of the Commission containing this sentence—

"The distribution of the Parliamentary Grant cannot be wholly free from the present dependence on the results of examination without the risk of greater evils than those it is sought to cure."

The point, then, I would earnestly press on the House is this: that I accept the Motion in the spirit of the seconder of it, and in the sense in which I understand my hon. Friend the Member for Oxford University gives his support, with the reservation that I am in favour of a sufficient test of the efficiency of a school by individual examination being preserved up to a certain point.

\*MR. SYDNEY BUXTON: Perhaps the right hon. Gentleman will allow me to explain that what I said, or what I meant to say, was that the Department should retain the power to examine individually, if necessary, in order to test efficiency; but that the grant should not depend on this examination. That I take to be the effect of the right hon. Gentleman's words.

\*SIR W. HART DYKE: No doubt this explanation is demanded on account of the difficulty in which I am placed, that I cannot go further into this discussion. What I understand the hon. Member really wishes is to substitute for the present system of grants a

fixed grant assessed and paid according to the efficiency of the school as a whole, and one important item to be taken into account in considering the grant will be the knowledge of the children in elementary subjects such as can only be tested by a certain amount of individual examination. There is one other point I should like to mention. I cordially adopt the last clause in the Motion which refers to the freedom to be allowed to teachers to classify scholars according to their aptitude. I wish to see that this freedom is liberally and properly administered ; but there must be a reservation that where the Inspector finds it is abused by those in charge of a school, he shall have power to step in. I have no further observations to add with regard to this Motion. I accept it with the reservations I have made. I hope the Debate will be conducted on fair and just lines. I am sure that no hon. Members wish to do me any injustice by prematurely discussing my proposals. Since I have had the honour of holding office I have received fair-play from all quarters, and I am sure that now I shall not appeal in vain for similar treatment. It will shortly be my duty to explain the proposals which the Government have to make, and till then I trust hon. Gentlemen will not attempt to discuss them. I regret that this very position of affairs has prevented me from doing justice to the Motion, which has not only my hearty sympathy, but my very best support.

(10.35.) MR. E. HARRINGTON (Kerry, W.): I quite sympathise with the closing remarks of the right hon. Gentleman, for I hold that when a good thing has to be said, the sooner it is said the better. I thank the hon. Baronet the Member for Evesham for having brought this Motion forward and for thus having exploded the vicious system of payment by results. I believe that the system of education which has, for the last 15 years, been fostered in this country and in Ireland has been injurious to the children and dishonouring to the teachers. It has been a system calculated to bring the teachers and parents into conflict. Now, I have not read the proposals of the right hon. Gentleman the Vice President of the Council on Education ; but I must say I do not think that, in a matter of this kind which affects the education of the children of

the community, the question of courtesy to the Minister ought to be made subservient to the necessities of the State. I have been glad to see a practical unanimity among hon. Members on this question. I have myself been looked upon as a strong politician, but still I have been pleased to see this subject approached from both sides of the House with an evident desire to eschew politics. I hope I shall not be understood as complaining of the spirit in which the right hon. Gentleman has met us. I agree with him as to the importance of retaining the individual examination of children. If there is not an individual examination of the children in the schools for some purpose or other, the visitation of the Inspector will be of no use. I speak with practical experience, for, during 13 years of my life, I was connected with the primary education of children. It is very easy to dress up a school and to present a class to an Inspector, and above all, for a teacher to undertake the examination in the presence of the Inspector and to make a show class. These periodical examinations we all know of. I am strongly against the system of payment by results, and I want the Inspector to be brought more into individual contact with the individual children of the school. There is another thing. In all Departments under the control of the State, and which may be paid for by public money, I would have unexpected visits to be the rule rather than the exception. Now, it is all very well to talk of courtesy. It is a very nice thing for a Departmental gentleman to wire down to his friend and say, "I may possibly be found in such a place on such a day ;" but the primary thing is for a school to be always in such a state that the Inspector will find it in order at any hour or moment he may drop into it. I am talking of Irish experience principally. There any gentleman can come in and inspect the schools, but he has no privilege of examination without the permission of the teachers. I would have the Inspector in a position that he may drop in at any moment and claim the privilege of examining any class. That is really essential. The reason I am against the result system is this: I believe if you have a good, honest, intelligent teacher, he can do more for the children if he is un-

fettered than if he is crushed by this system, which is gradually driving up the standards. And then with regard to the standard of age. I do not follow the hon. Gentleman in his comparison between Whitechapel and Pimlico, but there are numbers of things to be taken into consideration. If he takes either Whitechapel or Pimlico, or if he takes a district in which Irish was the language of the children before they went to school, it would be very unfair to treat the latter children on the same standard as regards age as he would treat those children who, by constantly listening to their parents, have acquired a great deal of intelligence before being subjected to school teaching. These things have to be considered. The duty of the Inspector is to judge of the general proficiency of the school. Then the results of the payments would be regulated by general matters, such as the number of children attending the school and their average attendance. That would be very good; but there ought to be another thing. The hon. Gentleman ought to draw no hard and fast line, and he ought to take into consideration the difficulties of the very different situation of the schools. I think that there should be some elasticity in the rule which he formulates in the matter, and that in out-of-the-way places where there is no possibility of having a large attendance if the teacher is doing more than commensurate good, he should be more than commensurately rewarded. If a teacher in an outlandish district has proved himself by every standard capable of instructing these children, and capable of showing results which no one could have expected in that district, there should be some elasticity in the arrangement to enable the Government to give him increased payment. Regarding this Motion as aimed at the pernicious system of payment by results, I am strongly in its favour. I desire to see the primary teachers in this country and in Ireland properly recompensed. If a teacher has a natural aptitude for his profession, he takes an interest in the children under him, and he should be allowed, if he thinks it right, to keep a child a longer time in the lower classes than he is now allowed to do. In the elementary schools in Ireland the teachers are paid fees which are progressive according to the classes in which the

*Mr. E. Harrington*

children are placed; and if a teacher keeps a child back in its own interest, he does so at the loss to himself of the progressive fee, while the parent is down on him because his child is not so advanced as a neighbour's child may be. I am glad that a House was kept for the discussion of this Motion. I believe the Mover and Secunder have made out an irresistible case, and I do not think any hon. Member will get up and defend this vicious system of payment by results. It is our duty to see that we have the best possible system of education for our children.

\*(10.50.) MR. F. S. POWELL (Wigan): I do not wish to prolong the Debate, but desire to express the opinion that too much blame has been cast upon the present system of elementary education, which has not been so devoid of results as has been stated. The disappointment which it has caused is due partly to the early departure of children from school, and partly to the want of continuation schools in our national system. The evils that hon. Members have deplored will be greatly relieved by the Code which will shortly be laid on the Table by the Government, and the whole subject may then be fully discussed. I will not prolong the present Debate, and will only add that I believe no class of men and women are more worthy the confidence of the people and more desirous to properly discharge the duties entrusted to them than are the elementary teachers. I feel greatly rejoiced that the old system is ended. We bid farewell to it with gratitude for what it has accomplished in the past, and we look forward with hope to a better system.

(10.51.) MR. C. A. V. CONYBEARE (Cornwall, Camborne): Considering the position of what I may call suspended animation, in which I am, as a member of the London School Board, owing to the attack of the Chief Secretary on me last year, I may, perhaps, be regarded by some as having no claim to take part in a Debate on education. But I wish to emphasise one or two points which have come out in the course of the discussion.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,—

House adjourned at Eleven o'clock till Monday next.

## HOUSE OF LORDS,

*Monday, 12th May, 1890.*

## METROPOLITAN HOSPITALS, &amp;c.

Ordered, that the Select Committee have power to direct that copies of the evidence be delivered to such persons as they shall think fit.

## FACTORS (SCOTLAND) BILL.

A Bill to amend and consolidate the Factors Acts in their application to Scotland—Was presented by the Lord Watson; read 1<sup>o</sup>; to be printed; and to be read 2<sup>a</sup> on Friday next. —(No. 83.)

## THE NEW EDUCATION CODE.

## OBSERVATION.

\***LORD NORTON:** My Lords, I do not intend to trouble your Lordships with any general discussion of the Education Code, but only to invite your serious consideration of the two features connected with the Code which are indicated in the notice I have given. The new Code is, I think, an improvement upon that which was introduced last year and withdrawn, and the two together constitute a very considerable improvement on the existing law. I have noticed the points in which, I think, a considerable improvement has been made; first in simplifying the method of estimating school work, and including in that, for the first time, discipline, good conduct, good manners, and moral training. More freedom has been given to the teachers, both in classifying scholars and subjects. Class and sample are substituted for individual examination. The proposed Code lightens and makes much less mechanical and impracticable the work of inspection, and it greatly improves the conditions both as to pupil teachers' apprenticeships, as to trained and untrained teachers, as to the staff, and as to the premises required for every school. The objections which I have to make to the Code are two: first, that it retains the system of piecemeal payment for education to a certain extent, and sufficiently, to continue the mischiefs of that mode of payment, and to vitiate the whole system. My other objection is

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that it positively stultifies itself when greatly enlarging the fixed grants in support of education, yet making them all variable. As to the piecemeal payment for education. That was a device adopted first in order to induce Parliament to undertake the elementary instruction which volunteers were inadequately giving by an apparent guarantee of a *quid pro quo* for every shilling voted for the purpose. Twenty years' experience has proved more completely, year by year, the futility and mischief of that mode of paying for national education, and it was condemned more completely in the House of Commons last Friday than it has ever been before. It was condemned generally in the House by all who spoke upon the Resolution moved by Sir Richard Temple, and more especially condemned by the Vice President of the Council. The evidence of the teachers taken before the Royal Commission, on whose Report this Code professes to be based, was unanimous as to the mischiefs which are produced by the mode of payment. The heads under which they divided their accusations of mischief were these: that it limits the curriculum of instruction and makes any special aptitude of teachers valueless; that it induces neglect of important parts of education to which no money value is attached; that it forces all concerned in the work to regard it in reference to their possible earnings on passes upon examination instead of looking to the general effect of the education; and that it substitutes mere cramming of the memory for real intellectual training. Very strangely the Commissioners drew the conclusion, from that unanimous condemnation by experts, that the Parliamentary grant for education cannot be wholly freed from dependence on results, and that Parliament could not be expected to make such large grants unless it could so satisfy itself that the quality of the education justified the expense. Both those conclusions are dependent on what is meant by results, and what may be the quality of the education which can be produced by such a system. But the Commissioners go, at all events, so far as to recommend its modification, as far as possible, and that it should be relaxed



in the interests of the scholars, of the teachers, and of education itself. Those are their words; but they say that the total abandonment of the system might involve greater evils. What those evils were they gave not the slightest indication, nor is there any indication whatever of them in the evidence, whether in writing or orally. I tried to ascertain them by asking some of the highest authorities in the Department if they could indicate any source of evil in abandoning payment on results, but the best answer I got was that it was necessary, in order to stimulate teachers and keep them up to the mark by giving them a number of little prizes to earn beyond the fixed payment. So low an estimate of our teachers is scouted by all who are engaged in private schools throughout the country, although they see perfectly that their incomes will depend, as all working incomes must, upon excellence of results; but none of them would undertake to educate for an arbitrary and precarious payment for different items of instruction. Unfortunately, in this particular, the Code follows the recommendations of the Commissioners: It concludes that total abandonment of piece payment is impossible, and only recommends modification. It, therefore, retains such payments as these:—1s. for this, 1s. 6d. for that. Conceive, my Lords, a system under which, by way of education, the nation pays for six-pennyworth of discipline, or six-pennyworth of moral training! And let me say here, that religious instruction in the barest principles of Christianity is the only thing for which there is no payment. That constitutes the *Index expurgatorius* of our national schools, and religion, therefore, continues to be the one subject which is unpaid for and neglected. The other objection which I have to make to the Code is its anomaly of variable fixed grants. The Government has been so much engaged in Irish questions lately that they become somewhat Irish in their own ideas. This may account for the fact that in proposing fixed grants they have made them variable, with one exception, and that the only one which would have been better for some variation. The Merit Grant was tried a year or two ago, with the object of getting rid of the piecemeal mode of

*Lord Norton*

payment, and getting payments made generally according to merit, but the scale of merit "fair," "good," and "excellent," was absolutely found impracticable, and was only used as affording another mode of piecemeal payment. They found it was impossible to say exactly where the line was to be drawn between "fair" and "good" and "excellent" categories of schools, and the attempt to draw it was found to be most invidious, and was objected to by the country at large. But here we have a Merit Grant again in the very Code which professes to abandon it, only re-introduced under the cover of fixed grants. The variable fixed grants as proposed now I will state to your Lordships. The fixed grants for infants vary from 9s. to 7s. per head, according to the school equipment, and the age of the teacher—that is, according to the richer or poorer circumstances of the schools, giving the larger grants to the richer. There is also a sliding scale of payments of 6s., 4s., or 2s. a head to those schools, according to the Inspectors' opinion of the suitability of the instruction. Under the head of fixed grants to schools for older scholars, there is a variable grant of 12s. 6d. or 14s., according to the amount of intelligence exhibited, which intelligence is likely to be greater in the larger towns and amongst those who are best able to pay for education. That is the proposed appraisalment, and a very difficult appraisalment too. I should like to know how the Inspectors, who despaired of the working of the old Merit Grant, would draw a distinction between the category of schools deserving 12s. 6d. and 14s. a head. The only fixed grant that is invariable is 4s. for specific subjects, which are not taken up in any rural school. So much for this system of grants, which Mr. Sydney Buxton said, in the House of Commons, was a scheme for making the greatest possible variation of payment for exactly the same amount of labour in teaching. My Lords, I would only ask, in conclusion, is it impossible to escape entirely from this condemned system, which is fraught with so much mischief? What is done by every civilised nation in the world except ourselves is from a central fund for education to grant out to such local schools what each requires for its work, not competitively but actually.

Such Grants are made in Canada from provincial districts according to population and rateable value. In that way an adequate and certain income is given to enable local managers to carry out what the people want in the way of proper school tuition. Our own large School Boards have so severely felt the mischief of the present system that they have taken on themselves both the precarious receipts from detailed payments and the variableness of their aggregate amount, and have paid fixed salaries to their teachers, with a separate inspection of their own to watch the teachers' capacity for the work. If it is doubted whether we can fall back from a device adopted in order to induce Parliament to take up the subject, which device can no longer be required, because Parliament is now almost too profuse with grants for education, cannot we do that which all other nations do, and let the Treasury grant a capitation according to the requirements of every district, rural or urban, only seeing by inspection that the money they vote is *bond fide* appropriated for the purpose for which it is voted, leaving to the locality the arrangements with the school. Two of the most eminent authorities pointed out to the Commission how this could be done, only waiting for District Authorities to be formed. I know that I cannot get any alteration made in the Code now, but I simply desire to draw your Lordships' attention to two defects in the Code, in the hope that, through your Lordships' influence, they may both be remedied in the final and complete edition of the Code which the Government promise us next year. I am sure every one of your Lordships hope that they will put an end to this system of annual editions of it, which cause perpetual changes and uncertainty most embarrassing to managers and teachers, and to all who are interested in this important subject. Let us have a normal supply by Treasury grants, which will enable managers to work efficiently our schools throughout the country for moral and intellectual training, with a view to the best interest of education, and not hamper them by considerations of detailed earnings, and precarious incomes, dependent on periodical arbitrary examinations.

\*THE EARL OF MEATH: My Lords, I congratulate the Government on having laid upon the Table of the House a new Education Code, which is decidedly in advance of the old one, and much more in line with the practical needs of the people. I think most of your Lordships will agree with me that Her Majesty's Government have done well in having dropped the subject which is called "English." I have never yet found any schoolmaster or schoolmistress who has been able to tell me that after all the "English" that has been taught to the children of the working classes, their actual speaking and writing has been very much improved. The practical needs of the people for their children's education have been better met in the present Code by the permissive introduction of manual instruction, suitable physical instruction, and laundry work; but I must express my regret that physical exercises and laundry work do not receive any direct encouragement in this Code. We think too much of the intellectual, and too little of the physical, needs of the children. I suppose it is now impossible to alter the Code, but I hope at some future time the subject of physical exercises will be brought more prominently forward. At present they are only permissive, but I should like to see them made compulsory. We are the only leading nation in Europe which has not physical instruction in its Educational Code. They have it in Germany, France, Sweden, and Switzerland. There is another point to which I should like to draw your Lordships' attention. The compulsory subjects are reading, writing, needlework, arithmetic, and drawing; but there is one subject which, although not included in this list, is practically compulsory, and that is recitation. At page 15 it is stated that no school shall receive the higher grant unless the Inspector reports that the scholars throughout the school are satisfactorily taught recitation. In the first standard the poor infants are bound, before the grant can be earned, to be able to recite 20 lines of poetry; in the second standard, 40 lines; in the third, 60 lines; and so on up to the sixth standard, where 150 lines of recitation are required. I ask whether this can be absolutely necessary. What advantage can there be

in the children of, say, a labourer being able to recite 150 lines of Chaucer. It seems to me absolutely ridiculous that we should require a labourer's children to recite 150 lines of Chaucer when, as a matter of fact, the mass of the girls are not taught geography, and often not history—ininitely more important subjects for them. As your Lordships are doubtless aware, it is necessary that two class subjects should be chosen; they cannot choose more. If they choose needlework as one of the obligatory subjects they only get 1s.; but if they choose it as a class subject they get 2s.; consequently, as every manager is anxious to obtain the most money he can for his school, he will naturally take needlework as coming under the class subjects, and earn 2s. by it. They consequently lose one of those two important subjects, history or geography. Both those are subjects which our girls ought certainly to know something about. I would suggest that recitation should be entirely left out, and that some other subject should be put forward instead of it. My own feeling is that if we could change the curriculum of these children a little more, and insist upon the healthy ones going through some suitable physical exercises, it would be much better than teaching them to recite 150 lines of Chaucer. Sir Edwin Chadwick, in his *Health of Nations*, states that the receptivity of the minds of the great mass of children for instruction does not exceed three hours daily, and I think that is perfectly true, for it is confirmed by all the leading physiologists. But we give them four hours' instruction, and I think if there was half an hour, or even a quarter of an hour, devoted to physical exercises, the teachers would get a great deal more out of them than at present. In fact, the question of the health of the younger generation of our city population is, to my mind, a very serious one for England, and one which I hope this House will take into consideration within a very short space of time. We are an essentially urban nation, and are rapidly becoming more and more so. I cannot understand how anyone living in our large towns can doubt for a moment that our town children are degenerating. I know it is doubted, and it is a most difficult thing to prove; but almost every-

*The Earl of Meath*

one who has lived among the working-classes of our towns is of the opinion that the children of our working classes in towns are degenerating. The urban populations are rapidly increasing; there are two persons living in the town to one in the country, and therefore we must consider the health of the younger generation of our urban populations, for the standard of health and physique in our times will have an ever-increasing influence on the health standard of the nation. The power and energy of a nation depend upon the power and energy possessed by the units which constitute that nation. If your units are weak in health, your nation will be weak in strength of mind and body. How are we to hold our own in the world in future unless our population is of that healthy character which will make us a healthy as well as an intellectual nation? If there are those who say that the intellect of the nation has nothing to do with the health of the children, I venture to state that exactly the reverse is the case, and that unless the children are healthy you cannot get the highest intellectual work out of them. In fact, unless we take care, our country will have to take a lower rank among the hierarchy of nations, and I hope that before such an event occurs we shall set our house in order. It is a well-known axiom of hygienic science that, other things being equal, the health of a population is in inverse ratio to its density; the more people are crowded together the more unhealthy they are, and therefore the more our population is crowded into our towns, the more unhealthy they must become, unless we prevent this law taking effect. Physical exercises are not only good for strengthening the body and for strengthening the mind; but I assert that they are good also, inasmuch as they inculcate many moral qualities which are largely wanted among our people. They teach habits of order, discipline, the duty of obedience, attention to command, quickness to act upon order, and the power of co-operation in acting with each other. In 1884, out of 65,000 men who offered themselves as recruits for the Army, 430 per 1,000 were rejected for physical disability. I think your Lordships will agree that that is an enormous proportion; and when we consider that it is the most

active and energetic, and consequently we must presume the most healthy, part of the population which seeks to follow the exciting life of a soldier, we can readily imagine what the physical condition of the great mass of our population must be. We must take into account also the number of those presenting themselves who were rejected simply for inferior physique. We have already passed a Bill for the national defence of this country, and I am thankful for it. I am thankful that we are spending these millions. But we may spend £50,000,000, aye, £100,000,000 in national defence in vain if we do not look after the bodily health of our children. If our children do not grow up healthy and strong and able to use the weapons and scientific appliances entrusted to them, we shall simply be throwing the money away. They will be unable to use these weapons, and all your efforts to defend the nation in time of war will be in vain. But it may be asked, why are we to include physical education in the Code? Why cannot we trust to games and sports? Well, even suppose the children of whom I am speaking could engage in sports and games it is not exactly the same thing. But the fact is, that in our large towns there are no places where the mass of the children can play. Sports are excellent for children to engage in; but there can be no doubt that for the purpose of which I am speaking, the sports of these children are not exactly what are required. They are crude and unspecialised, and, therefore, inadequate for the purpose of giving a national physical education. I am an ardent supporter of our national games of football and cricket; but I do say those are not exactly what we want. We want something more to give those qualities which are necessary to produce a thoroughly strong, healthy, and intelligent population. Then it may be asked—What do you propose? I would suggest that something similar to the Swedish drill should be established in all our schools. One of my reasons for saying this is that Swedish drill requires hardly any appliances and is consequently an inexpensive system. There is no better method which can be adopted for bringing out the physical powers of the children in all directions. That method is founded on the laws of Nature, and on the treatment

of the bodily organism. I hope, therefore, that if not now, at all events at some future time, something will be done in this direction. If anyone shall answer—"We do not want robust health as much as intellectual attainment; the mortal body, being the lower organ, must take its chance, and be even sacrificed, if need be, to the higher organ—the immortal mind." To such I reply, with Charles Kingsley, that you cannot do it—

"The laws of Nature, which are the express will of God, laughs such attempts to scorn. Every organ of the body is formed out of the blood; and if the blood be vitiated, every organ suffers in proportion to its delicacy; and the brain, being the most delicate and highly specialised of all organs, suffers most of all, and soonest of all, as everyone knows who has tried to work his brain when his digestion was the least out of order. Nay, the very morals will suffer. From ill-filled lungs, which signify ill-repaired blood, causing year by year an amount not merely of disease, but of folly, temper, laziness, intemperance, madness, and, let me tell you fairly, crime—the sum of which will never be known till that great day when men shall be called to account for all deeds done in the body, whether they be good or evil."

Those are the words of Charles Kingsley, the apostle of muscular Christianity. One of the advantages of Swedish drill is that it is suitable for both girls and boys; and we may say for the girls, "If strong be the frames of the mothers the sons shall make laws for the people;" and the boys may make answer "*Civium vires, civitatis vis*."

\*THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): My Lords, I am pleased to find that so far no very serious exception has been taken to the Code which has been laid on your Lordships' Table, and I am happy that the same has been the case throughout the country. I do not suppose that a code will ever be introduced which will please all managers and teachers of Board Schools, and subscribers to voluntary schools. At the same time, I think your Lordships will see, recollecting what the Debates were last year, that every effort has been made in this Code to meet the objections which were then brought forward, and as far as possible to bring the Code into conformity with the general opinion that prevails in the country, and at the same time to fulfil as far as possible the wishes of that eminent body of gentlemen who sat upon the Royal Commission, and who, in carrying out the laborious duty which they undertook, came to conclusions which, I think, ought to be

a thing which the children particularly take to, and from the youngest upwards, they are quite ready to learn a certain number of verses suitable to their capacity. It is not so difficult for them as learning prose would be, and they take it up and do it with great readiness. I think you will find from the Reports of the Inspectors how great an improvement it makes in the reading power and intelligence of the children. It enables them to read with much more intelligence. From the explanations which have to be given to them they are enabled to read with much more intelligence and to become better acquainted with whatever they find in the books placed in their hands. Without recitation no school will be able to get the 14s. 6d. grant. Supposing there are two schools, which are both in very good condition, yet that one of them is not in a condition to take up this subject of recitation, and has, therefore, put it aside, that school would doubtless not receive the same grant as the other; but, as a general rule, the 14s. 6d. would be given to schools of a superior character, and which can show that the instruction given in each school is carried on with adequate means and an efficient staff—with all the means which would enable the teachers to impart fitting instruction to their pupils. My noble Friend on the Cross Benches says he thinks the children should have something more to do in the way of physical training. I am not quite sure that anything more could be got in during the four hours allotted for school time.

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that you have done more than is advisable or necessary to do, and that when the children have to be in school so short a time with intervals of rest the time should be occupied in teaching. During the four hours there are alleviations from book work, such as musical drill and other things, while the children are in school. But it must be remembered that besides that in the greater part of the country the children have plenty of exercise and amusement during the hours when they are outside the schools and I think it will be found unnecessary, therefore, to force physical instruction upon the children more than is done now. At the present time they have drill, which certainly does a great deal, as any one may see, in setting up the children, and better fitting them for labour, and is in itself a most advantageous thing, as I believe the noble Earl will agree. But he wants something more to be done, and I quite concur that it would be a great advantage for many children to have more physical instruction, but I doubt whether that can be done in school hours with all the subjects which are included, besides the book learning, drawing, and other things. The whole time is not given to dry lessons, but the children are afforded intervals for other kinds of pursuits. I think, with regard to the Merit Grant, there is really very little to be said. When my noble Friend was talking of his own mode of inspection, he said it must be according to the merit of the school. I do not know by what means you are to carry on inspection, or how an Inspector is to go about his duties without seeing that one school is conducted in a totally different way, and is on a totally different footing from another—that one school is carried on upon a better system than another. But there is nothing which is obtainable by one school which is not obtainable by another. They will all be put on one footing if they will deserve it by attention to their duties, and they can all get the 14s. 6d. grant by taking care that the scholars are properly instructed, and that the organisation is properly cared for, and put on a right footing. I believe, my Lords, I have now spoken of all the subjects which have been brought before your Lordships. I do not want to go into the whole question of the

Code, because that is not at present before us. I cannot help thinking that my noble Friend's speech was a sufficient indication that he was, upon the whole, satisfied with the Code, though he looked forward to next year. There have been shadowed forth many matters which will require the attention of Parliament next year, and I should have been glad if some of them could have been dealt with in the present Session; but your Lordships will see that controversial questions occupy the ground between now and the end of the Session, and that it would be inadvisable to bring forward other controversial questions at present. But I will say that these questions will be dealt with during next year; that they will not be shirked by the Government, but that Her Majesty's Government will address themselves to them, and that they will endeavour to deal with them without doing injustice to voluntary schools. Larger support is being offered day by day to voluntary schools, which are kept up to a very high standard, although, undoubtedly, they cannot always contend with those which have unlimited resources at their back. I cannot help thinking that the people of the country will begin to ask themselves before long whether they are not paying too much for education, when it is observed that a very useful and efficient education can be obtained for £1 16s. 6d. per head in some cases, while in others it costs over £3 per head, and is growing in amount. All those things require a great deal of consideration. I know that in London education always must cost more than in the country, owing to the greater cost of sites and buildings; but when we have an elevenpenny rate in London it makes us look about and ask what is the cost of education elsewhere. I find that in West Ham, which is almost a part of London, children are educated in the Board schools for something over £2 whilst in London, closely adjacent, it is something over £3 a head. I cannot myself see why there should be that difference between London and what is practically one of its suburbs.

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**THE EARL OF HARROWBY**: My Lords, as I last year had the pleasure of proposing a draft Code, I hope I may be pardoned for rising for a moment or two to say how much we are indebted to the noble Viscount the Lord President for the care which he has bestowed upon this very difficult subject since Parliament last met. I think it will be obvious to everyone that a very great improvement has been effected. With regard to the effect of the New Code I cannot help thinking that education must be very much benefitted by it in the schools. We must rejoice at the prospect the noble Viscount has held out that the subject will be yet further considered, but still, educationally, I think the New Code promises to be a good one. How far the burdens borne still press upon those who are supporting schools voluntarily carried on, and who are really relieved by the New Code, time alone will show. I wish they would subscribe even more largely; but I think all are agreed, as the Royal Commission has admitted, that as the State

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has pushed up the requirements of education very much more of later years, it is only fair, seeing the burdens which press upon the voluntary schools, that they should not be overpressed. It seems to me that the New Code is likely to work in such a way that it will bring back the schools to very much the same condition they were in in the very best times of the first enthusiasm for national education. I think it will require very much more educational zeal on the part of the masters than the existing Code. There will be more thought required, and a great deal less routine work; and I think it will probably necessitate a considerable change in the teaching staffs in the schools. Beyond that, as to inspection, it is clear that more thorough inspection will be necessary. You will require a much longer period for inspection; and, also, that thoughtful instructions shall be given for directing the Inspectors of 30 years ago. I think their minds have been cramped by a narrow system, and that this new system will require to be worked by Inspectors with more time at their disposal, and who are able to give more thought and care to the good of the schools. It should be kept steadily in mind that that must be the result. The main feature of the New Code is that in future the State will not acknowledge any school that is not thoroughly good. I think that is a good point, for the moment you compel parents to send their children to school it is absolutely necessary to ensure that no bad schools shall exist. Then the year's warning will act as a great help to school managers in this way. Hitherto, they have been hampered by teachers who are not up to the mark; but, if now schools are in danger of being extinguished the managers will, without any inhumanity, be able to say to their inefficient teachers "Really you are not up to the mark; our school will die unless we get a more skilled master or masters, and we must therefore part with you." I think great help will be given to managers of schools in that way. With regard to rural schools, as far as I can judge, the careful provisions which my noble Friend has made will prevent their being overburdened by the new requirements which will at the start press heavily upon those schools. It

*The Earl of Harrowby*

must always be remembered that the requirements as to staff will press heavily upon them, and I doubt whether the new grants will meet the monetary demands upon them by those requirements. The case of the poorer urban schools is rather an anxious one, and I do not think the conditions of good schools in poor urban districts is sufficiently met. Very often there is only a dead level of poor population with no subscribers and no people in a better position to help. Yet many of the schools in such districts have been very good indeed. I think those are schools which require to be more considered than any others, with regard to obtaining assistance from the public. I must confess that I do not think there is a very great deal in what my noble Friend on the Cross Benches said with regard to the necessity for increasing physical education. We all want to bring up the boys as healthy and strong as possible, but I think he has overlooked the amount of military drill, or other physical exercises, that is given in the schools; and, considering that the hours of instruction are really short, and that you have within that space of time all sorts and varieties of instruction, I think we must be careful how we encroach on those four hours, which constitute the school time on five days in the week. Then I think we should be careful in shutting out recitation. Nothing is more popular, I believe, among parents than the recitations taught in the schools. When the noble Earl spoke of 150 lines of Chaucer having to be learnt by the scholars, I think he can hardly have visited many of the schools, because the recitations are really little patriotic pieces and songs which tend to brighten not only the school-life of the children but the homes of the parents, who more thoroughly enjoy the recitation of bits of poetry by their children than anything else in the school teaching. With regard to the question of fixed grants, I own that there, I think, there is some danger lurking. By Clause 92 the door is left quite open to upsetting the whole of the fixedness of the grants. There is no doubt that under that clause, though I am sure my noble Friend would not think of doing so, any future President of the Council could upset the whole system of the fixed grants if he disliked

it; and I hope my noble Friend will consider that clause with very great care, as it certainly excites the gravest apprehensions in one's mind, and seems to be wholly inconsistent with the character of what is called a fixed grant. It is a fixed grant which is not fixed, and I think it may lead to very great danger and very great disappointment. There is another point for which we owe our thanks, and that is the giving an appeal to the Chief Inspector in all these matters. That is a point of great importance to managers of schools. On one point, as I am referring to the Code, I should like to say a few words. It is a point which presses rather unfairly upon school teachers. I see that in the instructions to Inspectors my noble Friend urges the teachers to avoid corporal punishment. I think that the position of teachers is a very hard one in this respect. The State has always shirked saying what punishment may be awarded, what amount, or for what offences, and we see teachers constantly brought before the Magistrates for inflicting trifling punishment. Some Magistrates dislike corporal punishment, and treat the teachers harshly, while in other cases it is the reverse. I think that the State ought to say what punishment is justifiable, and what the amount of the punishment shall be, and for what offences it should be administered. That, I think, is a point which everybody has overlooked. I rejoice that the tone of the instructions to Inspectors is very decided on the subject of the discipline of schools. The moral training of the children is a matter of the gravest importance to the State, and though it may be said that an Inspector would not be able to judge on this point from a single visit on one afternoon, a great service will be done to the State by means of such Inspectors, and making some effort to see that every precaution possible is taken for the moral training of the children. This is no trifling subject, and those who are acquainted with schools are well aware that the morals of the children, their habits, their demeanour to their parents, and so on, are matters which require watching. If the Inspectors look into these matters, great service will be done to the schools and to the State, and I think we again owe my noble Friend a great debt in that

matter. With regard to night schools, I think we ought not to withhold a tribute of gratitude to my noble Friend for having endeavoured to make these schools more efficient, but I hope that next year the noble Lord will not forget the subject of what are called continuation schools, which do much service to the State, especially in the way of getting rid of the difficulty which exists in the confusion of instruction given in the day schools. Though we are grateful to the noble Lord, educationally, for this Code, and appreciate its clearness, I think that, financially regarded, it does not give sufficient pecuniary assistance to struggling schools, as to which I doubt very much whether they will be able to meet these new requirements. I hope the noble Lord will bear this in mind when next year's work begins. I was very glad to hear the noble Lord's declaration on behalf of the Government that Public Elementary Schools, Voluntary or Board, ought not to pay rates. And I rejoice at the pledge he has given with regard to voluntary schools, in reference to the other subjects to which we attach great importance, such as the doing away with the 17s. 6d. limit, which he has shadowed forth in his speech. For what he has so far done, and for the great service he has rendered in these matters, I beg again to thank him.

THE BISHOP OF LONDON: I do not wish to detain the House for many moments. A great deal of what can be said upon this New Code has been very well said by the noble Earl who has just sat down, and I do not want to go over the same ground again. But I think it well to make a few remarks about the working of the Code as now introduced, and upon some of the objections made to it by the noble Lord who began the Debate. It is objected that the whole character of the Code is minute, that it goes into very small particulars, and that the Inspector's rod will be over all those different matters; and it is asked, how is the Inspector to estimate them, how much is he to give to morality, and how much to grammar? My Lords, there is always more difficulty in inspection if you go into very minute sub-divisions than if you go generally into any one particular matter. If you make your grants depend upon examination in one particular matter,

and say that you will give one grant for excellent moral training and a lower grant for good moral training, and a lower grant still for fair moral training, the Inspector will then be in a great difficulty, because he finds it is difficult to draw those lines. When you are dealing with one subject it is better that your sub-divisions should be as few as possible, and that you should call upon the Inspector to say whether the school in regard to that particular item is well taught or not, and that, if so, it shall have a certain grant; but in case there is something markedly excellent, then let it be rewarded by something higher, if bad, let it be marked for something lower. The exceptions in that case would be few. But it is a positive aid to an Inspector, and necessary in order to ensure proper inspection, that the different subjects of examination should be specific; because if you tell the Inspector to look at the matter as a whole his judgment will, unconsciously to himself, vary very much indeed, and will be very different to what it would be if he were examining into each subject separately. You should put down that he is to look at the moral training and examine into that; put down that he is to look into the discipline and mark its value; put down for him each separate thing that he is to look at. That will be a real guide to him, and the greatest possible guide in the inspection. It is the same thing with regard to examination. It is a good thing, I am certain, to examine every single child in a school; but I think it was a mistake to make the old grants so absolutely dependent upon the examination of the individual children as they were, and I think it is quite reasonable, in justice to the schoolmaster, that the Inspector should be told he is to examine a certain number so as to do justice to the schoolmaster, but to examine if he wishes it every child, and that he should form his judgment, after that examination, without going into precise details of how every child, separately, passed through it. And so all through his work. It is a good thing to call his attention to definite points, and to ask him to look at definite points, and then let him make his Report upon those definite points. You will in that way get a

*The Bishop of London*

more thorough inspection. Then you will require more time, I think, to be given than you have at present allowed for the inspection. At present the inspection is rather hurried, and the judgment exercised upon it becomes very mechanical. I think the Department will have to pay regard to that matter, and to allow the Inspectors more time than they have hitherto allowed them. But I do think that the Rules made for the Inspectors as they now stand are a very great improvement upon the old Rules. I hope, in our desire to set the schools at greater freedom, we shall not put forward a mere loose general command to the Inspectors to report that such a school is a good one, and that another one is not a good school; because I am quite sure that if we do so we shall not do real justice. Whether we should apply the grants to the precise points of the inspection is a disputed matter. But it is a question whether you do not need all this for the large body of teachers, many of whom are distinctly not of the highest powers of body or mind, and are not first-rate teachers, a great many of them requiring to be very closely looked after. It is a matter of question whether you can safely deal with them in any other way than by saying that they shall be paid according to their work. That is a question which admits of some little difference of opinion; but I confess, as things go at present, I think that the Government have gone as far in the direction of setting them free as it would be safe to go. I think it is right to take care that the payments which we make shall be justified by the results we obtain, and that, on the whole, we could not adopt a better mode of obtaining those results than that which is here laid down. There are, however, some things with regard to the grants which I think the Government might do. I confess I do not feel very happy about Article 92, and I wish that we had not in the Code somewhat ambiguous language used, and calling a payment a fixed grant which is not fixed after all, because ambiguous language of that kind is a trouble to managers, and it would be a good thing if when the word "fixed" is used we knew that there would be no variation at all. The noble Viscount the Lord President has explained

that where the grant is reduced it will only be in exceptional cases ; but exceptional cases have a tendency to give rise to difficulty, and it would be much better that the language should be clear, in order to prevent any kind of mistake being made in this matter. Then with regard to the subjects which are to be taught, I venture to differ most strongly from the proposal that recitation should not be included. It is very easy to pick out an example of so many lines from Chaucer, and say, "What an absurdity it is to give such a recitation" ; but it depends where you take the lines from Chaucer. There are some lines in Chaucer which you might make children thoroughly understand without any difficulty. But the Code does not limit teachers to Chaucer, and the real requirement is that there shall be recitation of poetry. Amongst the subjects that children like best there are few which have more effect in really elevating and cultivating their minds than the recitation of good poetry. It does a great deal more for them than merely to awaken their intelligence, because it awakens their intelligence in a way which places them altogether higher in the scale of humanity. It is, in fact, like teaching children singing, and it is of the utmost value in schools. It is of the most real importance in its effect. Everything which tends to remove the children in the schools from brutality and grossness, from what lowers man or woman or child in the scale of humanity, and everything which tends to elevate them, is of the utmost value morally, whatever you may say about its value intellectually ; but those who have actually themselves taught in schools will tell you that the intellectual effect of it is very much greater than you would suppose beforehand. I fully admit the value of geography and the value of history ; but I would venture to say, nevertheless, that geography is not as important to these children as the amount of recitation which is required, and that history is distinctly below it in value to them. History belongs altogether to a later period for them, when their age will afford some possibility of their comprehending political movements and the life of a nation, which young children are not able to comprehend at all. With regard to the proposal that we should introduce physical instruction,

I really think that the best provision of that kind for the children is to give them the opportunity of playing at games in the playgrounds ; that to alter the course of the school teaching is not necessary ; and that a good playground for every school would be very much more valuable. There is immense value in the naturalness of children's ordinary sports and games ; and the drill and physical exercises which they now get in school is quite sufficient for the purpose of guiding them and regulating the use of their bodies. If you give them the opportunity of playing among themselves they will guide one another, and strengthen themselves, I believe, more than by any instruction you can give them under a master. The teaching they get in the schools is not, I am afraid, more than is just sufficient at present for their needs ; and if you very largely curtail it for the purpose of getting in physical exercises I think you will lose a great deal more than you will gain. There is one other point with regard to the Code which I wish to bring to the attention of the Government, and that is with reference to the rural schools. The conditions laid down for procuring a proper staff for rural schools will, I think, press rather hardly on a good many of them. I think the Government will have to look particularly to the possibility that the demand for such teachers as will be necessary in order to secure these grants is a demand which it will be very difficult to meet, not because the managers of schools will not try to meet it, but simply because the supply is not sufficient, and I do not think the Educational Department have looked carefully enough at that side of the matter. It would be very hard on the rural schools if they could not obtain the advantages held out to them, not because they are not willing to get better masters, but because the masters do not exist in sufficient numbers. I rejoice to think that the Government have under consideration the propriety of dealing with the question of rates. Many schools are subjected to enormous pressure from this one cause. In some schools, I believe, the rates amount to as much as 4s. a head. That will make a very large hole, indeed, in the grant ; and if there is no other way of providing for them, I think it

would be well if the Government would pay the rates on behalf of such schools. I think that would be a very good thing.

\*EARL FORTESCUE: My Lords, before coming to the question which my noble Friend originally started, I would venture at once, for fear of forgetting it, to say a few words in support of my noble relative's appeal in reference to teachers being armed with something in the shape of authoritative instructions in regard to the punishment they may or may not administer to children. I was very much struck by one case of a teacher who was prosecuted for corporally punishing a boy. There was no question of its being a cruel or excessive punishment. It was simply a case of slight corporal punishment for writing filthy words on the walls of the school and on some of the school books, which had been seen by the Inspector, and which procured a bad report of the school. I would ask your Lordships, could anything be more unjust or more unfair than the position of a teacher who is prevented from punishing, and even punishing pretty severely, a boy guilty of a moral offence which brings disrepute and a bad report upon a school? I hope that in due time some rule, or some sort of authoritative direction, may be furnished to teachers upon the point which I have mentioned. As one of those who objected very much to the Code proposed last year, though I agree with my noble Friend that the present Code is very far from perfect, either in its general outline or in its details, I feel bound to add my acknowledgments to those which have been already expressed for the very great improvement observable in this Code over all its predecessors. In the first place, it has recognised at last the simple truth long proclaimed in vain to the Education Department, that children are not machines, and, therefore, that the same process, regardless of any pains that may be taken by the teacher or even by the child itself, will not produce the same results in the different branches of study. The Department for years insisted that the standard assigned to the child by the Inspector should be that in which it was to be instructed in all its branches of study; and yet the subjects of arithmetic, reading, and writing—the first two making

*The Bishop of London*

a demand on different mental faculties, the last on manual neatness and dexterity—have nothing in them which would *a priori* lead anyone to expect that a number of different children, each with his own distinct individual and hereditary mental and physical faculties, would arrive at precisely an equal amount of proficiency in those different branches of study. It seems to me that the relief given to both teachers and children by this Code, in the permission given for the first time to instruct children in different branches of study in the classes properly assigned to them by the masters in proportion to their proficiency or backwardness in such studies, is an enormous boon, and will very greatly facilitate the work of the teachers and the progress of the children. I must venture to say that this is a great justification of some of us who have had the audacity in past times to criticise the Education Department, because, comprising, as it unquestionably did, a number of officials of high culture, of large attainments and experience, and great ability, it yet never seemed to understand much of human nature, and particularly of child nature. Now, in this Code I am sorry to see grammar still holding its place as an object of study for children in the First and Second Standards as well as the Third. If there is any one point more than another on which all the authorities on the successive development of the different mental faculties in children are agreed, it is that the faculties of observation and memory are developed earlier than that of abstract reasoning or of abstract conception; and yet anything more entirely abstract than the rules of grammar can hardly be conceived. And how little the children, taught grammar at a very early age, practically apply, even when grown up, the rules which they have learned and the principles of which have been painfully drilled into them, may be judged by the ungrammatical shouts which one may hear proceeding from the children when let out of school, just after going, perhaps, through a regular course of lessons in grammar and parsing. I do not agree with my noble Friend Lord Meath in deprecating recitation. I believe that familiarity with the works of good authors have a more powerful tendency than any lessons in grammar to

improve the vocabulary and the habitual grammatical use of the English language. The noble thoughts of great writers are through life a precious possession for any one who has the privilege of having them stored in his memory. I really believe that in that respect the Code recognises a study which is of great value to children, and thoroughly appreciated by their parents and themselves. I agree with a good deal of what my noble Friend said about physical education, and I think that the right rev. Prelate, who took up some of the points, spoke very reasonably. The fact is, that in towns where children have not to go long distances to and from school, as is the case in many rural districts, they may very advantageously have a larger amount of physical exercise given them in school; but in some cases, particularly with regard to the younger ones, where they have to go, as I know a great many of them do, two miles and more to school, I think it would be inadvisable to impose upon them too much physical exercise in addition. As to the value of drill, there was some remarkable evidence given about its actual money value in the case of workmen—I forget at this moment whether by Sir Joseph Whitworth or by his foreman—to the effect that a man was worth at least 1s. 6d. a week more who had been drilled, because he had not only the will but the power of moving smartly at the word of command; and he particularly dwelt on his experience in his own workshop where sometimes very heavy weights had to be moved. He said that they sometimes preferred moving heavy weights with an almost inadequate number of hands as incurring a lesser risk compared with the danger of being encumbered by the assistance of more men also perfectly willing and anxious to do their best, but incapable from the want of previous drill to move promptly and to promptly stop moving at the word of command. I have repeatedly expressed my opinion both in your Lordships' House and elsewhere that all boys ought to be drilled, from the Duke's son at a public school to the pauper boy in the workhouse. Most remarkable evidence has been given, too, of its benefit in education and its moral effect in establishing the habit of prompt obedience and forming habits of order and method,

which are in any walk of life and for any future work of the utmost value. I cannot conclude without once more thanking the noble Lord President for what is certainly a great advance upon the previous Codes; though I hope when the larger questions which are announced for next year are taken up, that, among other recommendations of that very able Commission in its valuable Report, the Government will not forget one, and that is with respect to defining the limits of elementary education and of secondary education, so as not to include as parts of elementary education what my right rev. Friend has very happily described to me as non-elementary education in the shape of German, Latin, and so on, which I think everyone must fairly recognise as branches of secondary and not of primary education.

\*THE ARCHBISHOP OF CANTERBURY: My Lords, I shall beg to be allowed to say a very few words of gratitude to several noble Lords for what has been said this afternoon on behalf of the voluntary schools. I am anxious that the New Code should go to those schools unprejudiced, and not only unprejudiced, but freed from the sense of nervousness which might hang about it from what was done last year. I feel that the explanations which have been given here, as well as much that has passed elsewhere, ought to remove anything of that kind. The New Code comes before us distinctly to secure a higher standard of efficiency, and it is the desire of the voluntary schools to proceed as fast as they possibly can, consistently with safety, along that path. The commencement of voluntary education, and the advances in it up to the time when the Government took the matter in hand, were due to the voluntary schools, and I trust they will never feel that a day has come when they may say that the education demanded is so good that they cannot undertake to give it. The possibility of reaching the higher standard of efficiency seems almost secured by three of the most important branches of the Code. First of all, the greater simplicity of the arrangements, the deliverance of the teachers from a great deal of almost useless clerical work, which bears very hardly upon their time, and the greater freedom given to managers

and teachers, will all tend to increased efficiency. No one can have seen much of the interior working of schools without knowing that at present anxieties press very heavily on many teachers on account of the strain after payment by individual results. Not only do they press upon the teachers, but they greatly affect the efficiency of the schools. A good many children have to spend time in practising the goose step, while teachers are trying to bring on feeble children who are not now classified according to their abilities or their acquirements. It is not money only, but reputation that depends on the least satisfactory efforts. All that will now be ended. A second great means of promoting a higher standard of efficiency will be the assistance given to weak schools. Much will depend on the amount of assistance which proves to be obtainable by those schools. Some must be severely hit, but I hope that an amount of help will be given to most of them which will make those schools efficient. There is one point to which I hope the Government will direct their attention. I am not quite clear that weak hamlet schools, of which I have many in my diocese, will be capable of receiving this increased assistance. I have to day received a letter from Canon Wingfield, who is a well-known educational authority. He fears, as I fear, that some hamlet schools at a distance from the central schools will not receive the grants at all. If I understand Clauses 104 and 105 correctly, they intend to provide for grants to all schools of that kind, but the wording seems not to include cases in which over the border, but within two miles, there is a population. Canon Wingfield says he speaks feelingly on this matter, because he has some in his own parish and others near him; that many with a rich squire and small parish and not many difficulties will get the extra £10 or £15, but that they who have to keep up a struggling school in a remote hamlet with 100 or 200 people near it in the next parish, cannot get the help. If the hamlet having, say, 400 children, were a separate small parish, it would be well cared for, but under the clause, as it stands, I cannot say that that will always be so. That is a detail of importance

*The Archbishop of Canterbury*

if it operates widely, and I hope that attention will be directed to it. Thirdly, the efficiency of the schools will, undoubtedly, be promoted by the requirement that discipline and moral training are to be looked to and reported upon. Of course, they have a paramount value of their own. The whole work and object of a school is really to turn out good young citizens well disciplined and trained morally; but beyond that they will have a strong reflex action upon the intellectual training of the schools, and I am sure that the Inspector who has time to observe will be able to form a very distinct opinion as to the moral tone and order of the schools. Experienced in educational matters, as they are in the highest degree, they will not walk about, talk to managers and teachers, and observe the children, without being able to send the Department a very distinct Report on those points, and I believe it, therefore, to be a provision of the highest value. Perhaps enough has been said upon the subject of recitation, but I happen to be just fresh from the subject, because, on my way here, I paid a visit to a Board school where there are 1,400 children, and as I passed quickly through one of the class-rooms the teacher said the children would be much disappointed if I did not hear their recitation. I stayed, therefore, and heard 30 or 40 lines, which were about a fourth or fifth of what is required. They were not lines from Chaucer, as my noble Friend said, but they related the history of a quarrel between a needle and a pin, out of which an extremely good moral was drawn. I had sufficient time to observe the children, and I can say that, apparently, nothing could have given them more pleasure, and that they entered into the spirit as well as the words of the story. I do not think it can be said the time occupied in that recitation was wasted. My Lords, those seem to me to be the three great broad branches of improvement by which an increased standard of efficiency may be reached, and certainly I believe it will. On the other hand, the cost of the school teaching will be increased. As the voluntary schools have spent magnificent sums in the past, I believe they will rise to the occasion now. They have never wished to stint in doing

what they could hitherto, and they must keep the lead which fairly belongs to them in the judgment of fair students of the history of education. They must do their best with that aim, nor do I believe they will be unwilling to pay more for a better product. There will be considerable difficulty at first with regard to the staff required to be employed for the larger curriculum, and to the higher qualifications required in the teachers all round. But I cannot but believe that the Department will be merciful in recognising the difficulties which my right reverend Brother has stated arising from the fact that the present supply of trained teachers is inadequate. Markets, however, have a way of supplying demands and filling up deficiencies, and I believe that, before the end of the year, we shall see a great development in that respect. There are, I am perfectly assured, abundant reasons why the question of the full amount of the grant being received, and the rating question have been postponed for the present. That it will come under consideration when it is possible I have no doubt. It is only fair to the schools that the limitation of the 17s. 6d. grant should be removed; and it seems a simple matter of justice that if one set of schools is supplied with money to pay its rates, the voluntary schools which run with them should not have to find the rates in addition to what they volunteer. I hope that the voluntary schools will enter upon this New Code with gratitude and a good heart.

LORD LINGEN: I will detain the House for a very few minutes, for I have but very few observations to make upon the subject of debate. I do not propose to enter at all upon the contents of the Code, but merely to touch upon the machinery by which this, like every other Code, must be carried into effect. There has been no difference of opinion expressed in this Debate, but we are all agreed that the State must be informed and satisfied, by its own responsible officers, of the efficiency and character of each school to which public aid is extended, and in this respect we must consider, not merely the school, but the scholars. I would venture to point out to the House that when we speak of the schools we must not exclude the scholars from our consideration. For myself I

believe that, prior to 1860, the best voluntary schools were far too few, no doubt, to make a due impression upon the country, but still, so far as those schools went, in their tone, discipline, and all that could favourably impress an Inspector or visitor, they ranked, and deservedly ranked, very high. But the Duke of Newcastle's Commission undoubtedly brought to light a state of things which had been somewhat overlooked in the previous years, namely, that, even in the best of those schools, instruction was very imperfectly diffused among the scholars generally. I would impress upon your Lordships that the great reason and justification why the State, at vast expenditure, should have interfered with the thorny subject of education was the importance to the State that the bulk of its people should receive those elements of education which would enable them to deal satisfactorily with their own problems of life, and will not be secured by inspection simply; this object can only be secured by some system of examination, though not necessarily the examination of every individual child, but I do say that unless examination forms a substantial part of the official supervision in every school the political reasons for interfering with schools at all will not be answered. Examinations should, at any rate, be a substantial part of every system of inspection. Unless this is done there will be no adequate security that the object which the State has in view will be carried out. I do not think that full justice has been done to the revised Code of 1860 in this respect. That Code is often spoken of as if its object had been to confine the education of children in elementary schools to those subjects which are popularly known as "the three R's." But if any one will refer to the documents of that time, which is now somewhat distant, he will find that that charge is not well founded. The instructions to the Inspectors under that Code show that as much distinction was drawn then between inspection and examination as has been insisted on by the Lord President this evening. That Code was framed with a view of securing that, whatever else was taught in the schools, the bulk of the children should be able to read with such ease and intelligence as would encourage them to read



in after life, to write and spell sufficiently well to be able to write a letter to their own family, or to their employers on business, and to know enough arithmetic to be able to keep common accounts, such as items of expenditure, quantities of goods, receipts, or wages—that, however simple the accounts they might keep might be, they should be able to do that much at all events. The object of that Code was to secure that the elements of education were carried away by every one of the children from the elementary schools. Judging by the speech of the Lord President, such appeared to be his intention also in regard to the present Code. I do not think, after listening to his speech this evening that he has any other intention. Very different language was used in “another place” the other evening, and I am exceedingly glad to find that it has met with no echo in this House. I do not, however, pretend to believe that this Code, however carefully it may be revised, contains the final settlement of the education question, or that that settlement will come next year, or perhaps even the year after. In the meantime, it is of the utmost importance to see what the scope of this Code will be; and I venture to insist that, however valuable inspection may be as a test of the character of the education, it ought to have side by side with it a system of examination of the scholars which will prove, not only that the means of education have been afforded, but that the scholars have been so guided as to be able to take advantage of those means.

THE EARL OF WEMYSS: My Lords, the only point I wish to refer to is the question of drill in education. I sympathise most thoroughly with my noble Friend's remarks upon the importance of that subject, especially in towns. In towns it ought, I think, to be made compulsory. As regards the value of drill to children in schools, and in their work in after-life, had it not been that my noble Friend has anticipated me, I should myself have referred to the testimony given by Sir Joseph Whitworth upon that point. Many years ago I heard the opinion expressed by Sir Joseph Whitworth which my noble Friend has stated to your Lordships as to the increased value given to labour by previous drill. I may be allowed, perhaps, to say that as my noble Friend did not

*Lord Lingen*

like to trouble your Lordships with too many details, he is anxious that I should give your Lordships some figures from a paper he has handed to me affording statistics of the drill and gymnastic training given to 12 boys in the Much Wenlock National School, from August 21st, 1871, to February 21st, 1872. Of the 12 boys drilled six were put under simple drill, and the other six were drilled in connection with gymnastic training for six months. The result was that those who were simply drilled were greatly improved in appearance, and their chest measurements were augmented half-an-inch; but where the drill was combined with gymnastics their chest measurements had increased some two inches in the same time.

#### OPEN SPACES BILL.—(No. 76.)

House in Committee (on re-commitment) (according to order).

\*THE EARL OF MEATH: My Lords, in Clause 3 the Irish Office have drafted a few words which they desire should be inserted in line 5, page 2, after “England and Wales.” The words are “as respects Ireland, the Commissioners and Trustees of Charitable Donations and Bequests in Ireland.” The alteration is only for the purpose of extending the operation of the clause to Ireland, inasmuch as the Charity Commissioners have no jurisdiction in that country.

THE EARL OF KIMBERLEY: I presume the noble Lord has consulted those Members of the Committee who are interested in Ireland, and that he has obtained their consent to the insertion of words applying the clause to Ireland. I think we ought to have the whole clause read. I fully expect to find that it is quite satisfactory. It was understood in the Committee that some clause of this kind would be moved; but as no notice has been given of it, I think it would be better for the clause to be read.

THE LORD CHANCELLOR: I think there is a little misapprehension about the nature of this clause. The Bill extends to Ireland already. It was pointed out in the Committee that there was no such body as that which is referred to in the Bill as being the guiding authority in Ireland; and the noble Lord who has charge of the Bill

was recommended to find out who were the corresponding authorities in Ireland, and when he had obtained the necessary information from the Irish Office the name of the proper body to be inserted should be substituted. In substance, I think the noble Lord has exactly carried out that request.

THE EARL OF KIMBERLEY: Entirely.

THE EARL OF KIMBERLEY: I merely wish to say, before we part with the Bill, that I think my noble Friend will have to look through it before another stage is reached, because I feel certain that other words will be required to make it right. The clause which has been referred to is perfectly right, but I think it will require the addition of further words.

Amendment made; the Report thereof to be received To-morrow.

#### COMMISSIONERS FOR OATHS ACT (1889) AMENDMENT BILL.—(No. 63.)

House in Committee (according to order); Bill reported without Amendment; and to be read 3<sup>d</sup> To-morrow.

#### TRUSTEES APPOINTMENT BILL.

A Bill to facilitate the appointment of new trustees of land held in trust for religious or educational purposes, and to make provision for vesting the land in the trustees for the time being—Was presented by the Lord Herschell; read 1<sup>st</sup>; and to be printed. (No. 84.)

House adjourned at half past Six o'clock, till To-morrow, a quarter past Ten o'clock.

### HOUSE OF COMMONS,

*Monday, 12th May, 1890.*

#### ALLOTMENTS (COTTENHAM) PARISH.

Return ordered—

"Of Correspondence which has passed between the Local Government Board and the Chesterton Board of Guardians and other persons on the subject of the Allotments in the parish of Cottenham, Cambridgeshire."—(Sir W. Harcourt.)

#### PUBLIC PETITIONS COMMITTEE.

Ninth Report brought up, and read; to lie upon the Table, and to be printed.

### QUESTIONS.

#### THE LEGISLATIVE COUNCIL OF INDIA.

MR. BRADLAUGH (Northampton): I beg to give notice that on Thursday next I intend to present a Petition from inhabitants of Jessore, in the Presidency of Bengal, complaining of a present personal grievance, in regard to which they say there is urgent necessity for providing an immediate remedy. As the Under Secretary for India, in answer to a question from me, refused to make inquiry into this grievance, I shall, in pursuance of the Standing Order No. 80, move the House to discuss forthwith the matter contained in such Petition.

Subsequently,

MR. BRADLAUGH said: I wish to put a question to the First Lord of the Treasury in reference to the Order which stands number 3 on the Paper to-night (Indian Councils Bill). I wish to know whether it is likely to be taken before Whitsuntide?

\*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I should like to take it before Whitsuntide, if possible, but I am afraid that it will not be possible.

MR. BRADLAUGH: Will the right hon. Gentleman say that it will not be taken?

\*MR. W. H. SMITH: I am afraid that will be so.

#### THE INDIAN FACTORY ACT.

MR. HOWORTH (Salford, S.): I beg to ask the Under Secretary of State for India whether, inasmuch as the Indian Factory Act does not apply to the Native States, he will consider the advisability of urging upon their rulers the necessity of introducing legislation for the protection of women and children employed in the manufactories of those States, and who now work from dawn to sunset?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The policy of the Indian Government is to interfere as little as possible in the internal affairs of Native States, so long as the rulers govern justly. But the Secretary of State will bring this question to the notice of the Government of India, with a view to their advising

Native States containing factories to follow the Factory Legislation of British India.

#### POSTAGE RATES TO INDIA AND AUSTRALIA.

Mr. SUMMERS (Huddersfield): I beg to ask the Postmaster General what is the estimated loss to the Revenue by the reduction of the postage rates to Australia and to India from 6d. and 5d. to 2½d. in each case; what is the estimated additional loss to the Revenue if the postage rates to Australia and to India were reduced from 2½d. to 1d.; and what is the further estimated loss if the postage rates to all the colonies and to India were reduced to 1d.?

\*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): The additional loss over and above that now incurred which will result from reducing the postages on letters sent from this country to India and Australia to 2½d. is estimated at £88,400 a year. A further loss of £42,000 a year would be the result of making the rate 1d. instead of 2½d. And a still further loss of £50,000 would follow a reduction of postage rates to all the colonies and India to 1d. The hon. Member will see that the total of these reductions by bringing the rate down to 1d. generally would come to £180,400.

#### ELECTRIC LIGHTING IN BELGRAVIA.

Mr. LEVESON GOWER (Stoke-upon-Trent): I beg to ask the President of the Board of Trade whether the Board of Trade has rejected the application of the Vestry of St. George's, Hanover Square, for the admission of electric current for the purpose of lighting, which is now available close to the western boundary of Belgravia, and is being generally used in the adjoining streets; whether he is aware that numerous residents in Belgravia have urged the Vestry to take action in the matter, in consequence of the two Electric Light Companies to whom Provisional Orders were granted last year having made no apparent progress in Belgravia; and whether there is any valid reason why the Vestry, who are bound to meet the requirements of the ratepayers, should not be allowed to obtain a supply from a third company, which is in a position to furnish it without further delay?

*Sir J. Gorst*

\*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I have been urged by the Vestry of St. George, Hanover Square, to grant a Provisional Order allowing a third company to supply electrical energy in the parish, in addition to the two companies already possessing such powers. I am not, however, prepared to interfere with the arrangements made in the Metropolis last year, after prolonged inquiry, until the companies to whom powers were then granted have been allowed a reasonable time for proving their ability to discharge their obligations, this arrangement was supported by the London County Council. I have, however, informed the companies in question, whose applications, I may state, were last year supported by the Local Authority, that I should not be disposed to adopt this course another year unless they can then prove that they are in a position to supply energy in the district.

#### OFFICERS' PENSIONS.

Mr. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Secretary of State for War, as it appears from the statement in the *United Service Gazette* of April last, that a mistake occurred in the actuarial calculations to fix the pension of one officer, at least, why is not each officer informed of the data upon which the calculations are made in his own case?

\*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The hon. Member has been already informed why these Actuarial Reports cannot be published. As the mistake referred to in the newspaper did not occur the present question falls to the ground.

#### CRIME IN ARBROATH.

Mr. OCTAVIUS V. MORGAN (Battersea): I beg to ask the Lord Advocate whether he can state the number of persons apprehended or cited for crimes and offences in the burgh of Arbroath during the years 1887, 1888, and 1889, and at what hours the public houses were closed during those years?

\*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I am informed that, in the three years named, there were 597, 527, and 495 apprehensions, and

that up to Whit Sunday, 1888, the closing hour was 11; since then it has been 10 o'clock.

#### THE WARWICK BOARD OF GUARDIANS.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the President of the Local Government Board whether he is aware that in May, 1889, Mr. Joseph Broadfoot, of Barford, near Warwick, who was then one of the overseers of that parish, sent in his name to the clerk to the Warwick Board of Guardians, applying for the post of assistant overseer and collector of Poor Rates; that the clerk replied (in conformity with the provisions of the 29 and 30 Vic. c. 113, s. 10), that Mr. Broadfoot, being an overseer, was not legally eligible for the post for which he applied; and that on the 3rd of May, 1890, Mr. Thomas Sheasby, one of the overseers of Barford, was elected collector of Poor Rates by the Warwick Board of Guardians, subject to the approval of the Local Government Board, notwithstanding that the clerk advised the Board that Mr. Sheasby was not legally eligible; and whether the election of Mr. Sheasby has been brought under the notice of the Local Government Board; and, if so, what action the Board have taken, or propose to take?

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE, Tower Hamlets, St. George's): I have no information as to the facts with regard to Mr. Broadfoot. The appointment of Mr. Sheasby has been reported to the Local Government Board by the Guardians of the Warwick Union, and the Board have informed the Guardians that they are advised that a person who holds the office of Overseer of the Poor cannot legally be appointed as Collector of Poor Rates for the same parish, the two offices being incompatible.

#### WORKING HOURS IN COLLIERIES.

MR. HOWORTH: I beg to ask the Secretary of State for the Home Department whether his attention has been called to the fact that, while the adult colliers in the North of England, notably in the counties of Northumberland and Durham, have, by combination, secured for themselves a working day of from seven to eight hours, the boys under 14 who work with them have to work from

10 to 11 hours a day; and whether he will introduce any legislation to put an end to this state of things?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. MATTHEWS, Birmingham, E.): I am informed by the Inspectors of the two districts referred to (Northumberland and Durham) that the coal mines in those districts have always been, and still are, worked by two shifts of men and one shift of boys daily. The hours for boys have been shortened by the Acts of 1872 and 1887, and are now limited to 10 hours in any one day, and to 54 hours in the week. The hours of the men before those Acts and since have usually been eight hours' shifts, and are now in some cases reduced to seven hours. The boys, however, do not work at the face with the men. Their employment is to bring away the coal from the face to the pit bottom; it is not physically severe, and is not nearly so laborious as that of the men, who work shorter hours. I am informed that to shorten the hours of the boys by working them in two shifts would cause dissatisfaction.

#### PLEURO-PNEUMONIA.

SIR JOHN KINLOCH (Perth, E.): I beg to ask the President of the Board of Agriculture whether the Government will consider the expediency of allowing the importation of store cattle into this country from the State of Virginia, a State which has always been free from pleuro-pneumonia, and situated many hundred miles distant from infected districts, seeing also that the cattle can be shipped from that State for Great Britain without touching the soil of any other State?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (MR. CHAPLIN, Lincolnshire, Sleaford): I am informed that the statement that Virginia has always been free from pleuro-pneumonia, and that it is situated many hundred miles distant from infected districts, is inaccurate in both respects. The Report of the American Department of Agriculture for 1885 records the introduction of pleuro-pneumonia into Virginia in the summer of that year, and the Report of the American Department of Agriculture for 1887 and 1888 refers to another outbreak at the end of 1887. So lately as March 23 of the present year, a cargo of

animals, in which pleuro-pneumonia existed, arrived at Deptford from Baltimore, Baltimore being, I believe, less than 50 miles from the State of Virginia. In view of these circumstances, and of the fact that the Government are now prosecuting a measure for the special purpose of trying to extirpate pleuro-pneumonia in this country, it would seem to me most unwise to admit store cattle, as suggested by the hon. Member.

#### ROAD REPAIR IN SCOTLAND.

MR. ASQUITH (Fife, E.): I beg to ask the Lord Advocate whether his attention has been called to the proceedings and resolutions of a Conference of Representatives of Police Burghs, held at Glasgow on the 16th April last, on the subject of the management and repair of roads and streets; whether it is a fact that there are 88 Police Burghs in Scotland which are subject to the county road assessment, but in which the larger part of the roads and streets is not maintained or repaired by the County Road Authority; whether, in the case of many of these burghs, the sum raised by the county road assessment is much in excess of the expenditure incurred by the County Road Authority upon the highways within the burghs; and whether, having regard to the gravity and extent of the injustice inflicted upon ratepayers in police burghs by the present state of the law, Her Majesty's Government is prepared to take any, and what, steps to give effect to the resolutions of the Conference, or otherwise to remove the grievance complained of?

\*MR. J. P. B. ROBERTSON: I must refer the hon. Member to the answer I gave on the 28th of last month, to a question on the same subject. I observe, also, that the hon. Member for North Ayrshire has introduced a Bill dealing with the subject, which will in this way be brought under the consideration of Parliament.

#### SHANGHAI—THE CONTAGIOUS DISEASES ORDINANCE.

MR. HENRY J. WILSON (York, W.R., Holmfirth): I beg to ask the Under Secretary of State for Foreign Affairs whether a Contagious Diseases Ordinance exists in Shanghai; and, if so, whether he will lay it upon the Table of the

*Mr. Chaplin*

House; whether it is the case that cards are given to the registered women, which are practically a licence by the Municipal Authority; whether girls under 15 years of age are registered as prostitutes; and whether, if the names of some such girls alleged to be under 15 years of age be given to him, he will cause inquiry into the truth of the allegation?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (SIR J. FER-GUSSON, Manchester, N.E.): Shanghai is a Chinese city, and Her Majesty's Government are not responsible for the police regulations. The regulations for the management of the foreign settlements at Shanghai were agreed upon by the British, French, and American Consuls in 1866, confirmed by the Ministers of those countries at Peking, and approved by Order in Council. They contain no Contagious Diseases Ordinance.

#### HONG KONG—CONTAGIOUS DISEASES ORDINANCE.

MR. WALTER M'LAREN (Cheshire, Crewe): I beg to ask the Under Secretary of State for the Colonies whether, having regard to the fact that it took two years to pass the Contagious Diseases Ordinance of 1889, first ordered by the Secretary of State to be passed by the Hong Kong Legislature in his Despatch of 2nd July, 1887, repealing the system of compulsory examination of prostitutes then in force in that colony, he will take steps to secure that the Ordinance proposed for the amendment of the Ordinance of 1889 will be more expeditiously dealt with by the Colonial Legislature?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (BARON H. DE WORMS, Liverpool, East Toxteth): A similar question was put to me on Friday last by the hon. Member for Scarborough, and I beg to refer the hon. Gentleman to the reply which I then gave.

#### CHORLTON-CUM-HARDY.

MR. JACOB BRIGHT (Manchester, S.W.): I beg to ask the Vice President of the Committee of Council on Education whether the population of Chorlton-cum-Hardy, which in 1881 was 2,332, is now about 6,000; whether the only public elementary school in the township is a national school with accommodation for 364 children; and whether the

Education Department will at once take the necessary steps to secure the provision of sufficient school accommodation, in accordance with the Education Acts?

\*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DIKE, Kent, Dartford): The population is now 4,500. The increase is, I am informed, due to the influx of a large class whose children either do not attend public elementary schools or go into Manchester to the Higher Grade Schools. There is no pressure upon the space afforded by the National Schools, and I have no reason to believe that there is any deficiency of accommodation, but if any new facts are brought under the Department's notice, the proper steps will be taken.

#### METROPOLITAN POLICE RATE.

MR. JAMES STUART (Shoreditch, Hoxton): I beg to ask the Secretary of State for the Home Department whether, in event of the assignment of an annual sum of £150,000 to the Receiver of the Metropolitan Police District, in aid of the Police Superannuation Fund for the Metropolitan Police Force, this sum will be in addition to the sum equal to a 9d. rate on the Metropolis at present authorised to be spent for the maintenance of the Metropolitan Police, or whether it will go to the reduction of that rate?

MR. MATTHEWS: As the hon. Member is aware, the Police Fund, made up by the 9d. rate, is liable to make good any deficiencies in the Superannuation Fund, and, therefore, a Government contribution of £150,000 towards superannuation will reduce the liabilities of the Police Fund by that amount. Whether any reduction of the rate will be possible must, however, depend on the income and expenditure on the one hand of the Police Fund, and on the other of the Superannuation Fund. Looking to the recent necessary increase of the Metropolitan force, I see no prospect at present of reducing the rate below 9d.

MR. STUART: I beg to give notice that when the Bill under which this sum is to be voted comes on for consideration I shall move that the £150,000 be applied towards the reduction of the rate.

MR. HOWARD VINCENT (Sheffield, Central): When will the Police Superannuation Bill be introduced?

MR. MATTHEWS: I am afraid I cannot fix a day, but I shall lose no time in bringing the measure before the House.

#### SECOND DIVISION CLERKS.

MR. TUIE (Westmeath, N.): I beg to ask the Secretary to the Treasury whether it is to be understood that Heads of Departments can recommend to the Treasury meritorious writers, who are performing work of a higher order than mere copying, for appointment to a special class of an order lower than that of the Second Division; and, if so, will the Treasury, after due deliberation, give effect to such recommendation?

THE SECRETARY TO THE TREASURY (MR. JACKSON, Leeds, N.): I am afraid that I cannot add to the answer which I gave to a somewhat similar question on Thursday last.

#### H.M.S. SULTAN.

VISCOUNT CURZON (Bucks, Wycombe): I beg to ask the First Lord of the Admiralty if he can state what was the total amount paid to the salvors of the *Sultan*, the total cost incurred in navigating the *Sultan* to England, and the estimated cost for repairing and refitting that vessel.

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The total amount paid to the salvors of the *Sultan* was £50,000, besides the sum of £5,036, paid for the hire of salvage steamers during the first unsuccessful attempt to raise the vessel. The cost of repairing the *Sultan*, so as to enable her to come home, was estimated at £10,000, and the total cost of navigating her to England was, roughly, £1,000. No estimate has yet been made of the cost of repairing and refitting the *Sultan* for service, as that has been postponed until the re-engining and re-armament of the vessel can be combined with the repairs of the hull.

#### THE SCOTCH COURT OF SESSIONS.

\*MR. LENG (Dundee): I beg to ask the Lord Advocate whether, in view of the unusually large number of cases in both the First and Second Divisions of the Court of Session waiting hearing in the summer Session, and of the large accumulation of business in the Outer House, so that new cases brought in be-

between May and July have no prospect of being heard till the winter sittings, any arrangements are in contemplation for obviating, in future, the inconvenience to suitors caused by such delays?

\*MR. J. P. B. ROBERTSON: I understand that a representation on the matter referred to has been made to the President of the Court of Session, who informed the Memorialists that the subject would receive consideration when the Court met after the spring vacation. I may add that the sittings commence to-morrow.

#### THE WESTERN AUSTRALIA CONSTITUTION BILL.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the Under Secretary of State for the Colonies whether, considering that for many important reasons it is advisable to expedite the consideration of the Western Australia Constitution Bill in its stages, he can now state at what date the printing and circulation of the evidence taken by the Select Committee will be completed; and when the next stage of the Bill can be taken?

MR. STANLEY LEIGHTON (Shropshire, Oswestry): May I ask the Under Secretary of State when the evidence taken before the Select Committee on the Western Australia Constitution Bill will be in the hands of Members?

BARON H. DE WORMS: In reply to my hon. Friend (Sir G. Baden-Powell), and also to the question standing in the name of my hon. Friend the Member for the Oswestry Division of Shropshire (Mr. S. Leighton), I am informed that the evidence will be in Members' hands about Tuesday week, the 20th instant. In answer to the concluding part of my hon. Friend's question, I can only refer him to the statement made by my right hon. Friend the First Lord of the Treasury on Thursday last.

#### 3RD BRIGADE WELSH ROYAL ARTILLERY.

MR. LLOYD MORGAN (Carmarthen, W.): I beg to ask the Secretary of State for War whether the training of the 3rd Brigade Welsh Division Royal Artillery, (lately the Royal Carmarthen Militia), has recently been suddenly changed from Carmarthen to Fort Popton;

*Mr. Leng*

whether he will state the reason for such sudden change; and whether it is proposed to conduct the training in future at Carmarthen as heretofore?

\*MR. E. STANHOPE: As the Royal Carmarthen Militia is a corps of Artillery, whose duties, if embodied, would be with heavy artillery, it is essential that the corps should, from time to time, be trained where such guns can be used, which is not the case at Carmarthen. It is not, however, proposed to entirely discontinue training at Carmarthen, although the ground there is not suitable for camping.

#### EQUIPMENT OF VOLUNTEERS.

SIR HENRY HAVELOCK-ALLAN (Durham, S.E.): I beg to ask the Secretary of State for War what steps, if any, the Government propose to take to give practical effect to the Vote of this House of the 13th March last, declaring that the necessary equipment required to make the volunteers effective for service, in case of emergency, should be provided at the public expense; and what expectations he can hold out of those steps being taken at an early date?

\*MR. E. STANHOPE: I have very carefully considered the best means of meeting the obligation under which we have come to provide certain necessary equipments for the Volunteer Force. I do not think it is necessary to make any provision for the equipment of the Metropolitan Volunteers, as the fund raised by the patriotic exertions of Sir James Whitehead has been sufficient to meet their case, and I put aside for separate treatment the case of the great-coats. But as regards all the other articles of equipment mentioned in Class I. of the Adjutant-General's Circular, and referred to in the Resolution adopted by this House, we propose to proceed as follows:—I think it would be exceedingly unfair to those corps who have actually equipped themselves completely, like that of Colonel Rocca, at Manchester, that their prudent administration of their funds should result in their getting no share of the grant. Accordingly, I propose to issue to all Infantry Volunteers outside the Metropolitan District either the necessary equipment, or else its estimated value, which is 12s. per man. To Artillery Volunteers, who do not require

the whole equipment, the sum will only be 5s. In order to ensure the proper expenditure of these sums, a condition of the issue of the Capitation Grant will in future be that these stores must be found serviceable on inspection. The responsibility of maintaining them in an efficient state will rest absolutely with the Volunteers; but I shall be prepared to consider with the Treasury, before next year's Estimates, whether an additional annual grant of 1s. should not be made for this purpose. No other change will be made in the grant. But the whole future position of the Volunteer Force, in respect of equipment, has also been reconsidered; and the Government are prepared to bear the initial cost of all equipments, other than clothing, for any new corps or additional companies which may be formed. We hope in this way to settle the equipment question once for all. Greatcoats stand on a different footing; as a grant of 2s. is already paid for every greatcoat produced on inspection. And, in my opinion, there ought to have been no substantial difficulty in obtaining them. But it must be remembered that the use of these greatcoats is in many corps not limited to Volunteer occasions, but they are constantly worn in civil life. Accordingly, we propose to adhere to the system of grants, except that to all corps not now possessing greatcoats we shall be ready to issue them, suspending, of course, the 2s. grant to those corps till their value is repaid. The matter is of such general interest that the House will forgive the length of this reply. May I add a word as to the funds which have been, in certain counties and boroughs, raised or promised for the purposes of Volunteer equipment. Admitting that every case must be decided on its own merits, I hope that in all cases where Volunteer corps are still in debt, or are incurring special expenses for ranges or for drill halls, intending subscribers will be patriotic enough to allow their subscriptions to be applied to the relief of the funds of their local corps, so as, whenever possible, to put them on a sound financial basis.

#### CUSTOMS' OUTDOOR DEPARTMENT.

MR. SEXTON (Belfast, W.): I beg to ask the Chancellor of the Exchequer whether the following Circular has been issued by the Board of Customs:—

"Secretary, Customs,  
No. 32,551, 1889.

Custom House, London,  
25 Oct., 1889.

#### Return of Ages and Capacities.

The collectors and superintendents at the outports, and the inspector of the Outdoor Department in London, are directed to insert in their next Return of Ages and Capacities (*i.e.*, for the current year only), against the names of all officers of the Outdoor Department under the rank of surveyor, the place of their birth, and the place of their residence during the three years immediately preceding their entry into the service.

By Order,  
John Courroux."

and, if so, for what purposes these inquiries are instituted?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Yes, the Circular was issued. Its object was to enable the Board to make arrangements in the interest of the Revenue, for stationing the officers at ports at which they would not be likely to have friends engaged in the shipping trade.

#### SHERIFF CLERK OF AYRSHIRE.

MR. DONALD CRAWFORD (Lanark, N.E.): I beg to ask the Lord Advocate whether he can give an assurance that when the sheriff clerkship of Ayrshire is filled up the rule will be adhered to that the sheriff clerk is to be debarred from engaging in private practice?

\*MR. J. P. B. ROBERTSON: As I stated a few days ago, in recent appointments to office, similar to the one referred to in the question, the holder has been restricted from engaging in private practice. I do not at present see any reason to expect that exception will be made in this case, but the question of what salary is to be attached to the office is still under consideration.

#### PUBLIC HOUSE LICENCES.

MR. SAMUEL EVANS (Glamorgan, Mid): I beg to ask the President of the Local Government Board what is to become ultimately of the funds which will stand to the credit of a county whose County Council may refuse to expend them in paying compensation for the extinction of public house licences under the Local Taxation (Customs and Excise) Duties Bill?



\*MR. RITCHIE: The fund will remain to the credit of the county, until Parliament has decided that it shall be otherwise employed.

MR. STOREY (Sunderland): I beg to ask the First Lord of the Treasury whether, upon consideration, he is now willing to grant a Return showing (a) the situation or address of each fully licensed house in the various licensing areas; (b) the name of the owner; (c) the name of the ostensible licensee?

\*MR. W. H. SMITH: Such a Return could be furnished, but it would involve very great labour, great expense, and a considerable amount of trouble.

#### AUSTRALIAN POSTAL SERVICE.

MR. SUMMERS: I beg to ask the Postmaster General whether any loss to the Revenue is traceable to the Postal Service to Australia?

\*MR. RAIKES: There is at present an estimated loss of £78,000 a year upon the Postal Service from this country to Australia.

#### "MITCHELL v. REGINA."

MR. CUNINGHAME GRAHAM: I beg to ask the Attorney General why the Crown has demanded costs against the suppliant in "Mitchell v. Regina" (a test case), under Petition of Right Act, when he, by giving fiat, evidently considered that the suppliant had a fair case; and why costs have been pressed against suppliant in the same case, when it has been expressly stated, in the case of the "Crown v. the County Council," that the Crown did not ask for costs?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): In reply to the hon. Member, I have to say that the granting of a fiat in a Petition of Right has no bearing whatever upon the question of costs. The fiat is given where the Petition discloses *prima facie* grounds for relief. The question of costs is controlled by the Petition of Right Act. The case of the Yorkshire County Council, to which I presume the hon. Member refers, is of an entirely different character, and was a case stated to determine a question of law under Section 29 of the Local Government Act.

#### TELEGRAPH CABLES IN SCOTLAND.

MR. LYELL (Orkney and Shetland): I beg to ask the Postmaster General whether he is aware that the telegraph cables between Mossbank and Ulsta, and between Yell and Uist, in Shetland, have both been broken for some time, thereby causing much inconvenience; and whether he will have these cables repaired without delay, as the fishermen in the North Isles are now placed at great disadvantage, and owing to the spring fishing having begun, it is specially important that these cables should be in working order as soon as possible?

\*MR. RAIKES: The cable ship of the Post Office has had to go into dock for certain necessary repairs, but I trust she will be able to proceed to the Shetlands next week. No time shall be lost in restoring telegraphic communication between the islands mentioned by the hon. Member.

#### THE MERCHANDISE MARKS ACT.

MR. HOWARD VINCENT: I beg to ask the Attorney General if, having regard to the view he expressed last Session that offences against "The Merchandise Marks Act, 1887," come without fresh legislation under the provisions of "The Prosecution of Offences Act, 1879," he will authorise the Director of Public Prosecutions to take legal charge of any special case brought by a responsible body under his cognisance, in which the ends of justice and of commercial morality are otherwise likely to be defeated either from lack of funds or other causes?

SIR R. WEBSTER: In reply to my hon. and learned Friend, it is not possible for me to give a general undertaking of the kind indicated in his question. The conditions under which prosecutions are undertaken by the Public Prosecutor are prescribed by Acts of Parliament and the rules made thereunder. If a case is one in which a prosecution is required in the public interest I should certainly consider the question of giving directions for the Director of Public Prosecutions to undertake it; but every case must depend upon the particular circumstance.

**EMPLOYERS' LIABILITY BILL.**

**MR. J. E. ELLIS** (Nottingham, Rushcliffe): I beg to ask the First Lord of the Treasury whether he can now fix a date for the Second Reading of the Employers' Liability Bill; and, if not, whether he will definitely postpone the Bill till after Whitsuntide?

\***MR. W. H. SMITH**: The Bill cannot be taken before Whitsuntide.

**RIGHTS OF WAY (SCOTLAND) BILL.**

**MR. BUCHANAN** (Edinburgh, W.): I beg to ask the First Lord of the Treasury whether the Government will assent to the Second Reading of the Rights of Way (Scotland) Bill, the object of which is to carry into legislation the Resolution of the House passed on 18th March?

\***MR. W. H. SMITH**: There are two Bills now before the House dealing with this subject. The Government approve, and will be prepared to support, that of the hon. Member for Ipswich (Sir C. Dalrymple). Looking at the present state of public business, I am unable to offer any facilities for the discussion of the measure.

**IRELAND—THE LATE DR. CROSS.**

**MR. P. O'BRIEN** (Monaghan, N.): I beg to ask the Attorney General for Ireland what verdict, if any, has been returned by the Coroner's Jury in the case of Dr. Cross, alleged to have been hanged in Cork Gaol about two years ago for poisoning his wife?

\***THE ATTORNEY GENERAL FOR IRELAND** (Mr. MADDEN, University of Dublin): The General Prisons Board report that the convict Dr. Cross was executed within the precincts of Cork Prison on January 10, 1888. On the same morning an inquest was held by the coroner in the usual manner. No verdict, however, was returned by the jury, the coroner having declined to close the inquest without the production of the executioner.

**MR. SEXTON**: May I ask if the death of the criminal has been registered?

\***MR. MADDEN**: I rather think so, under the provisions of the Act; but if the hon. Member will repeat the question I will answer it.

**MR. SEXTON**: Could the death be legally registered, except upon the certificate of the jury?

\***MR. MADDEN**: I believe that it could under the provisions of the Act, but I do not like to give a positive answer without referring to the Act.

**MR. SEXTON**: I will repeat the question to-morrow.

**DR. TANNER** (Cork Co., Mid.): Some of my constituents do not believe that Dr. Cross was hanged at all.

**IRISH LAND BILL.**

**MR. H. VINCENT** (Sheffield, Central): I beg to ask the Attorney General for Ireland if the purchasers of land under the Land Purchase Bill will be granted a clean title from the Crown, all previous documents being withdrawn; and if the holdings will be subsequently transferable by a system of registration similar to that in force in Australia under the Torrens Act?

\***MR. MADDEN**: The effect of the provisions in the Land Purchase Bill as to the operation of the vesting order, and in regard to the redemption of head rents, is to place the purchasing tenant in the same position, substantially if not technically, as if he held under grant from the Crown. I have long been of opinion that a system of registration such as that indicated in the second paragraph of the question is a necessary adjunct to any general system of peasant proprietorship, and I have devoted a good deal of time to the preparation of a Bill providing for Ireland a cheap and readily accessible system of local registration of titles. I introduced this Bill late last Session, with a view to having its provisions discussed and criticised by those who are interested in the subject, and I am now engaged in embodying in the Bill of last Session some valuable suggestions which I have received. I shall be able to re-introduce the Bill in a few days; and I hope that I shall have the assistance of hon. Members on both sides of the House in carrying out what I regard as a practical reform of considerable importance.

**POOR REMOVAL.**

**MR. ARTHUR O'CONNOR** (Donegal, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is a fact that between 15 and 20 per

cent. of the inmates of Stranorlar Union in Donegal have been removed from Great Britain to that Union, although some of them had actually been born, or had spent most of their lives, in the former country?

\*MR. MADDEN: From the Report received from the clerk of the Stranorlar Union it appears that there are at present 63 inmates in the workhouse, and that of these there are nine who have been removed from Great Britain; also that it is alleged that the circumstances connected with these nine cases are as indicated in the concluding portion of the question.

MR. ARTHUR O'CONNOR: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is a fact that the wife of James M'Cormick, with their children, two of whom were born in Glasgow, were last month sent, under a Scotch removal warrant, to Stranorlar Union Workhouse, although the father was, and was known to the Scotch Poor Law Authorities to be, in good employment at steel works at Rotherham, in England?

\*MR. MADDEN: The removal of the woman referred to, and her three children, was made under a warrant dated 24th December last, she having been deserted by her husband six weeks before the removal took place. There is no information to show whether the Scotch Poor Law Authorities were aware that the husband was employed in England. He has, however, since been arrested at the instance of the Stranorlar Board of Guardians, and sentenced to three months' imprisonment for not maintaining his family.

MR. ARTHUR O'CONNOR: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware of the existing anomaly in the law relating to removal of the poor between Great Britain and Ireland; and whether he proposes to take any, and what, steps to relieve the Irish Unions of the burden now thrown upon them?

\*MR. MADDEN: My right hon. Friend the Chief Secretary is aware of the grievance referred to; but fears that he can add nothing to his reply to a similar question put by the hon. Member for South Londonderry on 22nd March, 1889.

*Mr. Arthur O'Connor*

# CHARGE AGAINST THE POLICE IN DONEGAL.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, about the end of 1886, Bridget M'Ginley, tenant of a farm at Meenacladdy, County Donegal, let her dwelling-house to the police, under an agreement by which occupancy was to terminate on three months' notice in writing by either party; whether J. S. Milling, County Inspector of Constabulary, gave such notice in writing on the 15th of January last to Mrs. Bridget M'Ginley that he would attend at the house on the 30th of April, at noon, to pay her the rent payable up to that day, and to quit and give up possession; whether Mrs. M'Ginley accordingly attended there on the day and at the hour appointed for the purpose stated, but, after waiting a considerable time, was told by District Inspector Hill to leave the place, and whether, when she refused to "leave her own house," retired to an inner room and closed the door, District Inspector Hill, Sergeant James Maher, Constable Stephen Duffy, and Constable Patrick Burke, first tried to break in the door by using a barrack form as a battering-ram, and then broke down a partition, dragged Mrs. M'Ginley into the kitchen, kicked her, and eventually threw her outside the door of the house in a fainting condition; whether Mrs. M'Ginley has since been ill, and attended by a doctor and priest; whether the police had removed their furniture and effects before the attack on Mrs. M'Ginley, and, after it, evacuated the house; whether the rent due to Mrs. M'Ginley, and which the County Inspector, by his notice, promised to pay on the day in question, is still unpaid; and what the Irish Executive have done with reference to the case?

\*MR. MADDEN: The Constabulary Authorities report that the facts are as stated in the first paragraph; but that Mrs. M'Ginley's interest having been evicted in October, 1889, a copy of the notice of surrender served by them on the landlord's agent was merely sent to her as a matter of precaution in the event of her setting up any claim to the premises. Mrs. Ginley did refuse to leave the premises, and was removed by the police without using any unnecessary

force. She was neither kicked nor thrown out, as alleged in the question. The police have no evidence as to the alleged illness of the woman. The police had removed their furniture. The rent was paid to the landlord's agent, and the premises were also legally handed over to him.

MR. SLATTERY AND MR. T. BARRY.

MR. PATRICK O'BRIEN: I beg to ask the Attorney General for Ireland whether he is aware that Mr. John Slattery, T.C., President of the South of Ireland Cattle Trade Association, and Mr. Thomas Barry, Poor Law Guardian, at present bail prisoners in Cork Gaol, are required to receive visits in what is known as "the cage," the place used by convicted criminals; whether bail prisoners, like first-class misdemeanants, are entitled to see their friends in a different sort of reception room; and, if so, why the gentlemen named are differently treated; and will he order that they are provided with a suitable place to see their visitors?

MR. MADDEN: As already stated in reply to previous questions, the bail prisoners mentioned receive their visitors in the ordinary visiting room, which is a comfortable one in all respects. The General Prisons Board report that neither untried nor bail prisoners are entitled, under the rules, to the privilege enjoyed by first-class misdemeanants referred to in the second paragraph. As regards the inquiry in the last paragraph, the matter is one exclusively for the Prisons Board, who must be guided by their Rules.

DR. TANNER: Is it not the fact that the Chief Secretary, in answer to a question on this subject last August, stated that all bail prisoners under the Crimes Act would be treated as first-class misdemeanants?

MR. MADDEN: I am not aware that he made that statement.

DR. TANNER: I must correct the statement. What the right hon. Gentleman said was the bail prisoners would be better treated than first-class misdemeanants.

MR. MADDEN: I believe that in some respects they are.

DR. TANNER: Has Mr. John Slattery been treated in the same manner that I was when I was a bail prisoner last year?

MR. MADDEN: The prison officials must be guided by the rules laid down, which rules are prescribed by the Prisons Board.

#### FOREIGN AND COLONIAL POSTAL SERVICES.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): I beg to ask the Postmaster General whether by far the greater proportion of the loss to the Revenue of £254,000 per annum on the Foreign and Colonial Postal Services is due to the East and West Indian Packet Services; and whether, down to the year 1858, this portion of the loss to the Revenue was charged upon the Admiralty Vote?

\*MR. RAIKES: The loss of £254,000 per annum, referred to in my recent answer to the hon. Member for Huddersfield, is upon the Colonial Packet Service only, not upon the Foreign and Colonial Postal Services combined. Of that loss £167,000 relates to the East and West Indian Packet Services. Prior to the year 1860-61, the whole cost of the Packet Service was charged to the Admiralty, and consequently any loss that was then incurred for sea conveyance fell upon the Admiralty.

#### THE CHANCELLOR OF THE EXCHEQUER'S SPEECH AT RAWTENSTALL.

MR. DILLON (Mayo, E.): I wish to ask the Chancellor of the Exchequer a question, of which I have given him private notice, namely, whether he is correctly reported in the *Times* to have said in his speech at Rawtenstall the other night—

"When Mr. Dillon spoke he denounced our proposals root and branch, and he tells us plainly enough that whatever we may offer will not be accepted, because it has not been passed by the Irish leaders."

MR. GOSCHEN: Yes, Sir; that is a fairly accurate report of what I believe to be quite an accurate statement. The hon. Member would, perhaps, have been more just to me if he had noticed the sentences that went before and the sentences which came after the one he had quoted, which showed that what I was speaking of were our proposals with reference to the congested districts. I consider that the hon. Member did denounce them, for he stated in the most emphatic manner—and he went even

further than my remarks would imply, for he not only said that unless our proposals were passed by the Irish Nationalist Party—which I take to mean unless they were endorsed by them—but also unless they had a preponderating voice on the Boards of Management, our proposals would end in considerable failure. The hon. Member also said that if the Government do not do this—that is, accept the views that the hon. Member put forward as to the persons by whom those proposals are to be worked—then our scheme is foredoomed to failure, and that it would be useless to waste the time of the House in discussing the Bill. A second time he used the words, “Our scheme was foredoomed to failure.” I thought, under these circumstances, that what I said was rather a weak paraphrase of the very violent philippic of the hon. Member.

MR. DILLON: I claim the right to say that the words of the right hon. Gentleman are a gross mis-statement of what I said. What I said was that Irish Members, who spoke for all the electors in the congested districts, should have a fair share in the constitution of the Board; and I went on to say that if the Nationalists were allowed to nominate a majority of the Board they would find men who would work honestly and endeavour to make the scheme a success.

MR. GOSCHEN: Read on.

MR. DILLON: The statement of the Chancellor of the Exchequer is absolutely untrue. It is a gross misrepresentation of the spirit of the words I used, and I consider it utterly unworthy of a political Leader to make such mis-statements.

MR. GOSCHEN: I shall be more courteous to the hon. Member than he has been to me. I maintain that no one could have heard his speech without considering that my words were a perfectly fair comment upon it. The hon. Member, by taking out that particular sentence, would wish to give the impression that I was speaking of any proposals, whereas it is perfectly patent that I was speaking of the proposals with regard to the congested districts; and I consider that the words which I have used, and at which the hon. Member stopped short in his statement just now, go further, in that they are in

*Mr. Goschen*

favour of the passing and administering of the Bill by the Irish leaders, and state that, unless that is provided for, the proposals in the Bill are foredoomed to failure. Under these circumstances, I regret that the hon. Member considers that I have gone beyond the limits of political controversy. I candidly state that I believed then, and I believe now, that I was giving an accurate representation of the words of the hon. Member.

#### CIVIL BILLS (COUNTY COURTS) IRELAND.

MR. MAC NEILL (Donegal, S.): I have given notice of my intention to move for a Return of the number of Civil Bills in the County Courts (Ireland), and appeals therefrom, on the Common Law and Equity Side, from June, 1885, till the present date, showing the number of Appeals actually heard, the number withdrawn, and the number of cases where the decrees of the Court below were affirmed, or varied, or reversed. May I ask if the Motion will be unopposed?

MR. MADDEN: I must ask the hon. Member to postpone the Motion. I have not yet received a Report in reference to the subject.

MR. MAC NEILL: I will postpone it until to-morrow.

#### THE LOCAL TAXATION BILL.

MR. J. LOWTHER (Kent, Isle of Thanet): Will the First Lord of the Treasury kindly say what the arrangements are for Business to-morrow? Is it proposed to continue the Debate on the first Order of to-day?

\*MR. W. H. SMITH: The understanding is, I believe, that, if necessary, the Debate shall be continued to-morrow; but I hope it will close to-night.

#### THE SUGAR BOUNTIES.

MR. ILLINGWORTH (Bradford, W.): May I ask the Under Secretary of State for Foreign Affairs whether the statement in to-day's *Standard* is correct, that the German Government have received information that it is not the intention of the British Government to proceed this year with the Sugar Bounties Treaty; and whether it is also true that the German Government is about to proceed upon its own account in the matter?

\***SIR J. FERGUSSON:** Perhaps the hon. Gentleman will please to put down the question.

#### MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled, "An Act to exempt certain letters of hypothecation from the operation of 'The Bills of Sale Act, 1882.'" [Bills of Sale Bill [Lords.]

#### ORDERS OF THE DAY.

#### LOCAL TAXATION (CUSTOMS AND EXCISE) DUTIES BILL—(No. 244.)

##### SECOND READING.

Order for Second Reading read.

\*(4.20.) **THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's):** The Bill which I am now about to ask the House to read a second time divides itself naturally into two parts, one part dealing with local finances, more especially so-called, and the other part dealing with the question of the purchase, the extinction, and the diminution of licences. The opposition which is threatened to the Bill is directed mainly, if not altogether, to the latter of those two portions; but the House will understand that the provisions in the first part of the Bill are of an extremely important character, which make it necessary that I should trouble the House with some details connected with them. But naturally my observations will be mainly directed to that part of the Bill against which the attack of the hon. Member for Barrow is intended to be made. The County Councils have, with practical unanimity, urged upon the Government that they should provide them in some way or other with the money of which, as they allege, they have been deprived by the dropping of the Horse and Van Tax. It is not necessary for me to say whether those expectations were altogether justified, or whether there is that obligation resting on the Government which they allege to exist. But I must say, on the part of the Government, that the amount which they originally expected to receive from the Local Government Bill in aid of local finance was considerably diminished by the failure to pass the Horse and Van Tax. We are,

and have been, extremely anxious to meet the wishes of the County Councils, and to make up for the deficiency which has been caused in their finances. The Chancellor of the Exchequer has, I know, been exercising all the resources of ingenuity for some time past with a view to finding some source from which these funds may be legitimately derived. The proposal which is now before the House is a proposal to distribute the money which will be provided, as we hope, by the extra duties upon beer and spirits. Whatever may be the opinion of hon. Members from Scotland and Ireland as to the portion which has been allotted to them from this additional taxation, I think there will be a general concurrence that the source from which the revenue is derived is in itself open to little or no objection from any quarter. [*Cries of "No, no!"*] I know there is an objection on the part of Irish and Scotch Members, not so much to the tax as to its distribution, but that is a matter which it is not necessary for me to deal with here. The question then arises, how is the money to be distributed? The total amount which it is expected will be raised by this new tax is £1,304,000. If we deduct the amount, which I shall refer to later, for the extinction of licences, namely, £440,000, the net available balance amounts to £864,000; and I think that all interested in local and county finance will admit that this is a discharge in full of any obligations which may rest upon the Government. We propose to allot this money under certain conditions. The first condition, as far as England and Scotland are concerned, is that a certain portion of the money shall be appropriated for police superannuation purposes. It is not necessary that money should be specially set apart for this purpose in Ireland, because the Irish Constabulary is provided for out of the Imperial Exchequer, and no other provision is necessary. With reference to the question of police superannuation in England and Scotland, the House will admit that the matter is one of the very highest importance. It is important not only that the matter should be dealt with, but that it should be dealt with speedily; and the Government are justified in making it one of the first conditions of granting this money in aid. I cannot speak too highly of

the Police Forces of this country. They have performed always difficult, often arduous, and sometimes dangerous duties, and they have performed those duties in a manner which meets with universal approbation. That being so, I am sure it is not necessary for me to appeal at any length to Parliament on their behalf, or assert my firm conviction that Parliament will readily listen to and deal with their just complaints. There can be no doubt that the position of the police at the present time, with reference to superannuation, is highly unsatisfactory. There is made from the whole Police Force of England a deduction of  $2\frac{1}{2}$  per cent. from their wages which is supposed to be allocated for purposes of superannuation. But it is a matter of astonishment, this being so, that pensions are not universal throughout the country; and I am told that there are no less than 40 or 50 police forces in England in which deductions are made from pay, while no superannuation allowances are given. Although the deductions are compulsory, the pensions are in the discretion of the Governing Bodies. In London the conditions are different, and pensions are demanded by the police force as a matter of right. There is another feature in connection with this matter. Notwithstanding the payments that have been made to Superannuation Funds during many years, in a very large number of cases in the country the Superannuation Funds are in a state of almost hopeless bankruptcy. I am told that the annual deficiency in the County and Borough Police Funds amounts to £40,000 or £50,000. In London the annual charge for police superannuation is far in excess of receipts for that purpose. A Committee which sat in 1875, and reported in 1877, went very fully into the whole question of superannuation, and listened very carefully to the complaints made. The Committee came to the conclusion that the complaints were not unreasonable, and that they ought to be remedied. Several Bills on the subject were introduced into this House. There were Bills in 1883, 1884, 1885, 1886, and 1887, though none was passed. The first two Bills were brought in by the right hon. Gentleman the Member for Derby, and the Bill of 1885 was introduced by the right hon.

*Mr. Ritchie*

Gentleman the Member for Wolverhampton. The other two Bills came from this side of the House, but none passed into law, mainly because of financial difficulties. The finance is what we now propose to supply; and my right hon. Friend the Home Secretary will introduce a Bill in which provisions will be made, so that by aid of the money which we give—£300,000 to England and £40,000 to Scotland—all the just grievances of the police forces in London, and throughout the country will be removed. There is in England, after providing the £300,000 for superannuation, a sum of £393,200 left. We propose that this shall be distributed in the same manner as the Probate Duty in the counties and county boroughs, and in case of dispute we propose to place the allocation in the hands of the Commissioners under the Local Government Act. It is highly satisfactory to know that, notwithstanding the great intricacies of many points which might require to be settled by the Commissioners, the whole of the arrangements between the counties and the county boroughs—at least as far as the temporary arrangements are concerned—have been made without the intervention of the Commissioners being necessary at all. With reference to Scotland, after providing the £40,000 for police superannuation, we have left £53,440. It is the desire of Scotch Members that a further sum should be allocated and added to the amount which, in deference to their wishes, was given for educational purposes last year. It is proposed by the Bill to allocate £40,000 for that purpose, which we believe will be amply sufficient.

MR. HUNTER (Aberdeen, N.): How is it to be allocated?

\*MR. RITCHIE: I cannot deal with that subject in a Second Reading speech. The remaining £13,440 is to be available for any demands made by pleuro-pneumonia, and the balance—if there be any—is to go to the salaries of Medical Officers of Health and Sanitary Inspectors. In Ireland the whole £77,360 has been dealt with, or is to be dealt with, first, by providing funds for the payment of national school teachers; and this proposal finds, I believe, complete favour with hon. Members from Ireland. But the House will remember that although the whole of this amount is made avail-

able for national school teachers, a considerable portion of it will go towards the relief of local taxation. Now, Sir, I pass from those portions of the Bill, which will certainly not raise much controversy, and I come to the part of the Bill at which a deadly blow is levelled by the hon. Member for Barrow. It is well to remind the House that if they are in favour of the proposals I have just sketched they would do well not to support the hon. Gentleman, because, unquestionably, if the hon. Member for Barrow is successful in his onslaught the whole Bill will have to go—a view which evidently meets with favour in some quarters—and none of these allocations for purposes which I think are universally approved will go into the hands of the Local Authorities. I am afraid that the latter portion of our proposals, the Licensing Clauses, will be met with a very considerable amount of strenuous opposition. It will be our duty, of course, to meet that opposition as best we can; but I can assure hon. Gentlemen we consider our case so strong and so good a one that we shall resist all onslaughts on that portion of our Bill, and with the aid of the House we shall press forward our proposals with every hope and belief that we shall succeed in passing them into law. We believe that our proposals are equitable and that they are desirable, and, further, we believe that a very large portion of the opposition which has been directed against these proposals is owing to a misunderstanding of the objects and purposes of the Government. Although the question is one of great and burning importance and of considerable controversy, I hope we may approach the subject in a fair and candid manner, and that no prejudice on the part of hon. Gentlemen opposite, however advanced they may be in the matter of temperance legislation, will prevent their giving to our proposals a fair and candid consideration. Whatever may be the belief of some hon. Gentlemen opposite, I assure the House that the sole object which the Government had in view in making their proposals was to promote temperance and to help those who are endeavouring, and who have so long endeavoured, to battle against intemperance. I know there are people who pretend to see some secret purpose of

ours in this proposal to Parliament ["Hear, hear!"] I do not know from whom that "Hear, hear" came. Is it the hon. Member for Barrow who thinks that what I have said is not accurate.

MR. CAINE (Barrow-in-Furness): No.

\*MR. RITCHIE: What I said was that our sole purpose was to promote temperance. We had no other aim or object, and if he or others think that under cover of attempting to help temperance reform we have endeavoured to set up, as in his opinion perhaps, a great scheme of compensation, I can assure him he is utterly wrong.

MR. CAINE: I hope the right hon. Gentleman does not think I had any desire to question his intentions.

\*MR. RITCHIE: What I have said is that the operation of our proposals is in the direction of temperance, even although their effect may be but small. In my opinion, matters of this kind are not to be dealt with satisfactorily by leaps and bounds. In my opinion, it is only by steps and stages that you will be able to deal with this question, and that large and heroic measures are not the best for promoting the cause he has at heart. The annual grant we place at the disposal of the Local Authorities for the purpose is not a large one, but I believe it will be sufficient to enable them to deal with a large number of the smaller fry of public houses. I will point out that there is a provision in the Bill by which the annual income can be capitalised for three years if it be desirable to deal more largely with them. I am prepared to say we are not disposed, if good arguments can be shown to the contrary, to adhere to the term of three years, and we shall be prepared to consider any extension of that period which may commend itself to us, so that although the beginnings may be small, we may ultimately do great things. But we do not claim for our proposals that they are of an extensive and sweeping character. Our view is, and always has been, that when this question comes to be dealt with as a whole, the control of licences must be transferred to Local Authorities, to County Councils, and to Town Councils. This is the idea we embodied in the Local Government Bill. This is the idea we have now; but meanwhile, and until this is done, we desire to take a



step, although it be but a small one, in the direction of temperance. One word with reference to the money which is to be raised for this purpose. It has been spoken of in many quarters as if it were some kind of a residue of a tax which the Government had resolved to put on for other purposes. I want the House clearly to understand, for whatever it may be worth, that that is not a correct statement of the course the Government have pursued. The Government, whether rightly or wrongly, deliberately placed an extra duty upon alcoholic liquors for this express purpose. It was not a question of money being left over, and that then it occurred to the Government that with the balance we might do something in this direction. It was fully and carefully considered, and it was deliberately arranged by the Government that this extra tax to yield between £400,000 and £500,000, should be put on for this express purpose. I cannot understand how any great objection can be raised to the proposal even by the extreme Temperance Party. The question of where the money for the purchase and extinction of these licences comes from, is, I think, not immaterial. It must be remembered, whether our purposes be good or bad, our details right or wrong, this money is raised from drink for the purpose of diminishing the sale of drink. [*Laughter.*] I do not see why hon. Gentlemen should see grounds for laughter in that statement. It is a matter which can hardly be denied. I think that all will acknowledge that, for the purposes of our Bill, money raised from that source is legitimately raised. Before dealing with our proposals as to the purchase and extinction of licences, may I point out that this is not the only step we have taken to meet the wishes and desires of the Temperance Party. I do not see much about it in the literature of the extreme section of the Temperance Party, but one very important feature in our proposals is the suspension of the issue of new licences. That is a matter which temperance reformers have been constantly urging upon all Governments, and at any rate, so far as that provision is concerned, I am sure it commends itself to the hon. Member for Barrow and to all temperance reformers, however extreme or advanced they may be, and

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that they regard it as a matter of the very greatest importance. At any rate, it is a provision which gives satisfaction to the Temperance Party. There are certain exceptional circumstances under which we provide that new licences may be granted. Several criticisms have been addressed to us with reference to our proposals for exceptions. I say there, again, we shall be quite prepared in Committee to consider any objections which may be legitimately raised with reference to the exceptional provisions which we insert. There is one important feature in connection with this matter which, I think, will commend itself very strongly to a number of temperance reformers in the House—that is, the valuable recognition which we give to the opinion of the County Council as to whether, even in a new neighbourhood, or a developing neighbourhood, a licence should be granted, providing, as we do, that on any application for a new licence under circumstances such as I have described, it can only be granted by the Justices if approved by the County Council. There are also some safeguards which we insert in the Bill. For instance, we provide that no additional value shall be given to any existing licence in consequence of any of the provisions of this Bill. We also take care that new licences stand on a very different footing from old licences. Certain suggestions have been made to us, notably by the Church of England Temperance Society, which, perhaps, has done as much good in the cause of temperance as any other society, and which has the cause of temperance at heart fully as much as any other Temperance Association. One of that society's suggestions was that no privilege of removal should be accorded to new licences, and that we are prepared to provide for. They are also anxious that, in the dealing with the granting of new licences, what are understood by grocers' licences—off licences—shall be dealt with, and that they should be brought under the clause which prevents new licences being issued. There, again, the Government are prepared to consider the suggestion that has been made. By Sub-section 4 of Clause 8 we provide that new licences shall be refusable by the Justices at their unqualified discretion. It has been pointed out that this might

seem to imply that we desired to say that they had not unqualified discretion now. We have not, and we never had, any desire to interfere with the existing rights of Justices, whatever they are; and we shall be perfectly prepared in Committee to move words to make that plain. So much for that part of our proposal, which I believe to be acceptable to all sections of temperance reformers—[Mr. CONYBEARE: "No!"]—except one. I now propose to lay before the House the provisions we desire to make with regard to existing licences. It is admitted on all hands that they are much too numerous, and social reformers will agree that they ought to be reduced in number. How is a reduction to be effected? The hon. Members for Barrow and Cocker mouth would say by popular veto; but they have not yet succeeded in converting the country to their opinion. The popular veto embraces the possibility of sweeping away entirely all the public houses in any particular locality without the slightest regard to any interests which may be possessed by the holders of licences, and the effect of that would be to reduce a large number of persons to beggary and destitution. If we are to wait for a reduction of licences until that reform takes place we should possibly have to wait even now for a very long time. It is said that magistrates may refuse to renew. That process, I contend, is also a slow one. Even assuming that they have an absolutely uncontrolled power of refusing renewal, nevertheless magistrates, in exercising their discretion, do regard the position of a publican, and the claim he has after a long course of renewals to a belief that his renewal will again take place. But we desire to quicken the process. We do not desire to wait till the great reforms to which I have referred are carried out, and so we give to the representatives of the ratepayers the power to diminish the number of licences, and we give them the means out of which they can fulfil that object. I would point out, first of all, that hon. Gentlemen who imagine that by the action of the County Councils they would do something extremely detrimental to the principles which are advocated by the extreme section of the Temperance Party—those hon. Gentlemen seem to have very little faith in

popular representation. In giving this money to the County Councils we impose upon them no obligation to diminish licences if they do not think it desirable to do so or if they are unable to make terms which they consider favourable. Secondly, no one is to be taxed against his will for this particular purpose. I am not prepared to argue whether this money comes from the makers, the sellers, or the consumers of drink; I am content with this fact, which no one can gainsay, that it comes out of the drink somewhere or other, and I imagine that hon. Gentlemen will not be prepared to say that it is not a legitimate source from which taxation should come to this purpose. It is said that we are instituting a great scheme of compensation. I utterly and absolutely deny anything of the kind. As I said the other day, compensation is a word which might possibly be applied to any bargain which is made between two persons. A man buys a hat and he leaves with the hatter in compensation whatever may be the price of it. Well, that is exactly what we are proposing to do—nothing more and nothing less; and although in a sense it is compensation, because value is received, I deny that it is compensation in the ordinary sense of the term. I assert that the word "compensation" is ordinarily applied to transactions in which at least one of the persons concerned is not a free agent. In purchasing under this Bill it is undoubtedly recognised that licences have a market value. They are recognised for all commercial purposes as having a goodwill attached to them. The fact that they are marketable commodities is recognised by the business community, by the State, and by the Local Authorities. The Chancellor of the Exchequer the other day showed completely that for Probate, Legacy, and Succession Duty the goodwill of a public house is taxed on its capital value. It is the practice of the Inland Revenue to estimate at so many years the value of the profits made in a public house, although the licence is annually renewable.

SIR W. HARCOURT (Derby): How many years?

\*MR. RITCHIE: Three years, I think. I am not, however, certain about that, and I would rather the right hon. Gentleman

did not take it from me. It is sufficient for me to know that the value of the licence is taken for more than one year. If the Inland Revenue are not satisfied with the value which is placed upon the interest in a public house they can, and frequently do, require an outside valuer, such as the publican himself would have engaged, to value the interest in the house and to supply them with proofs as to its value, and upon that value the tax is raised. Again, the Local Authorities have always recognised the value of a goodwill, both in public houses and all other houses which they take for public improvements. The London County Council have bought up and cancelled valuable licences out of the rates, and that is the very thing which we are blamed for giving to Local Authorities throughout the country the power of doing, only there is this advantage in our proposal, that, instead of having recourse to the rates, we provide funds for them, coming not out of the rates but out of the drink itself. It has been stated, as an objection to our proposals, that we are committing Parliament to certain bases of compensation. That I utterly deny. I maintain that we are not doing half as much by this Bill to set up bases of compensation as has been done for years past, both by the State and by the Local Authorities. I would make an appeal to the extreme Temperance Party, as represented by the hon. Member for Barrow. Do they think they will ever, in a reasonable time—in their lives—be able to deal with this question without recognising existing facts, such as those I have enumerated? I assert that it will not be possible to deal with this question properly, when it has to be dealt with comprehensively, without recognising existing facts, and that you cannot reduce to ruin and beggary persons who have been carrying on a legitimate business with no fault. Whatever may be the legal position of licence holders, the business has been carried on under the sanction of the law, and with an assurance fully warranted by practice of the renewal of the licence. I do not believe that public opinion will tolerate any such action as that contemplated by the hon. Member and the extreme Temperance Party. On the contrary, I believe that public opinion would revolt against the iniquity of depriving

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men, women, and children, of their livelihood by such a process as that which is favoured by the hon. Gentleman, and those who think with him; and, further, if you transfer this licensing to Local Authorities to-morrow, unless you were to provide some means, upon some basis or other, by which the interests in these premises should be recognised, I do not believe you would ever get any Local Authority to put the law into operation. I believe public opinion would be too strong against it. In the first place, there was the question of Army purchase, and that of the over-regulation prices, which were certainly not legal. But in that case Parliament recognised existing facts, and spent several millions of money. I assert that in regard to those over-regulation prices there had been an illegal traffic, which had grown up contrary to the will of Parliament and against the law; yet, when Parliament saw that it was necessary for the public good to deal with the matter, money was provided out of which the *status* of those who had paid for commissions was recognised, and payment in compensation was made. Another illustration is that which was afforded by the right hon. Gentleman the Member for Edinburgh (Mr. Childers) in 1883, when he proposed to diminish the work performed by local collectors of taxes. Those appointments were only held from year to year, and there was no claim to renewal; but there was a reasonable expectation of re-appointment, and my right hon. Friend proposed in his Bill to compensate the collectors, and, as far as I recollect, there was not a single voice raised against it at the time. So also with regard to our public men. From one time to another they have given strong expression to their views that this matter cannot be dealt with without recognising the proper claims to compensation put forward. The right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone)—and I should be surprised if he held any other sentiments—has expressed similar opinions. At Dalkeith, in 1879, he said—

“But I must also add that, I think, if it be necessary, if Parliament should think it wise, to introduce any radical change in the working of the liquor law in such a way as to break down the fair expectations of persons who have grown up, whether rightly or wrongly, it is not their fault—it is our fault—under the

shadow of those laws, their fair claim to compensation ought, if they can make good their case, to be considered, as all such claims have been considered, by the wisdom and liberality of the British Parliament."

Again, the right hon. Gentleman said, on the 5th of March, 1880, speaking on the Local Option Resolution of the hon. Baronet the Member for Cockermouth (Sir W. Lawson):—

"We ought not to allow our prejudices with regard to this particular trade, or our sense of the enormous mischiefs associated with its working, to cause us to deviate by one hair's breadth from the principle on which Parliament has always acted in analogous circumstances—namely, that where a vested interest has been allowed to grow up, the question of compensation should be considered when such vested interests were proposed to be interfered with by Act of Parliament. What I am prepared to say is neither more nor less than this—that the licensed victualler has the same right to fair consideration that is enjoyed by persons following every other trade or calling which is interfered with by Act of Parliament, and to whom compensation is awarded owing to such interference. We must not allow—I need not say that Gentlemen on this side of the House will not allow—any political feeling or prejudice to interfere with the rectitude of our judgment, or to prevent us from giving the same measure of justice or indulgence to licensed victuallers that we should give to any other class in the community. If that be so, I am inclined to think that this Resolution, which is to be regarded as a sort of charter, laying down the lines of our future conduct, ought to contain at least an allusion to the question of compensation. When Parliament enacted negro emancipation it was preceded by a preliminary Resolution, in which the principle of compensation was recognised. My hon. Friend says we must wait till a claim for compensation is made. Parliament does not act on that principle. Where the facts presented the possibility of such a claim, the recognition of the possibility has, I think, taken place in the original proceedings of Parliament."

These are the statements made at different times by the right hon. Gentleman the Member for Mid Lothian, and I should be very much surprised if he is now prepared to depart from the principle he has laid down. I do not wish to weary the House, but I should like to quote a few words spoken by the late Mr. Bright in the Debate on the Local Option Resolution of the hon. Baronet the Member for Cockermouth. On the 14th of June, 1881, Mr. Bright said:—

"The other difficulty is the question which has been referred to by the hon. Member for Cork (Mr. Daly), the question of compensation in case public houses were suppressed where there had been no breach of the law. I think the hon. Baronet would, on further consideration

—in fact, I gathered from what he said that this is so—not think it absolutely wrong for Parliament to provide some mode by which men who are now engaged in a lawful business should not be deprived of that business without some sort of compensation."

Then, Sir, there is the hon. Member for Cockermouth (Sir W. Lawson) himself. I may bring him forward as a witness against his own proposals, although the House will not expect that he said anything very warm and sympathetic on the subject of compensation. The hon. Baronet said:—

"Hon. Members tell me that there ought to be something about compensation in my Resolution. If I would only do that they would find it in their hearts to vote for me. Now, I do not want to condemn compensation; but it is not the question which is before the House. The question is whether it is right to force these houses upon an unwilling neighbourhood, and if it cannot be done without compensation, let us have compensation. I am quite sure that if ever my Resolution is crystallised into an Act of Parliament this House will never refuse a fair demand from any body of men."

The right hon. Gentleman the Member for Newcastle (Mr. J. Morley) has also given expression to the opinion that in dealing largely and broadly with this question, the just right to compensation on the part of people deprived of their licences by an alteration in the law should and ought to be considered. I may say that I have to-day read a pamphlet which has been sent to me containing a speech made by Mr. Bright before a temperance audience in 1883, in which he laid down the exact lines upon which we now proceed as being, in his opinion, the right lines upon which the question should be dealt with. I have already said that the opposition to our proposals is formidable, if we are to judge by the number of resolutions and telegrams that have been received. Hon. Members will recollect that one day last week the floor of the House was brown with the envelopes of telegrams sent to hon. Members conveying resolutions from all quarters of the country. I have something to say about these resolutions. A large proportion of them bear intrinsic evidence of proceeding from the same source. There has been a handle turned, and they have come out all ready made in incredible numbers. But there are some which appear to be spontaneous, and about those I should like to say a word. Occasionally they go wrong. One resolution is

very formidable, being couched in strong language and evidently intended to be directed against the proposals of the Government. It says—

"We totally and entirely and absolutely dissent from the licensing proposals of Lord Randolph Churchill."

But my noble Friend's Bill is evidently not the Bill against which this resolution was directed, because there is no compensation clause in that Bill at all. So that here this resolution very clearly went wrong. [Mr. W. E. GLADSTONE: They meant his speech.] They may have meant his speech, but they said his Bill. I will give another illustration. Here is a resolution—

"That the proposal in the Budget to give £350,000 to the County Councils as a fund from which to compensate publicans whose licence 'for one year and no longer' may not again be granted is a dangerous innovation."

That shows clearly that the individuals who were considering this resolution thought that by our proposals we were providing a fund for the compensation of those licences which were not renewed by the Magistrates. Nothing can be more contrary to our intention—nothing can be more ludicrous. I have one or two more cases. Here is one from Wales—

"That this meeting protests most emphatically against the renewed proposal of the Government to compensate publicans whose licences may not be renewed."

There, again, the evident idea in the minds of these people is that we are endeavouring to compensate men who are deprived of their licences by the Magistrates. Another resolution is from the Portsmouth Band of Hope and Abstainers' Union, and it says—

"The Portsmouth Band of Hope and Abstainers' Union—consisting of 36 societies, with a membership of over 7,000—protests most strongly against the giving of compensation to publicans in case of non-renewal of licence."

Here is a resolution the idea of which cannot be mistaken. The idea is that our proposal for dealing with the question is that we are compensating the publican in case of the non-renewal of his licence. I am glad, however, to think that there are some temperance reformers who take a different view of our proposals. Here is a letter from a member of the Southwark Band of Hope Union. It says—

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"Though an ardent supporter of total abstinence, I deeply regret the position which the temperance party are taking up in connection with the Government Bill. Whilst I certainly object very much to any indiscriminate form of compensation, I think the advantages to be gained from the Bill to be introduced on Monday are far more than commensurate with its defects, and I shall be very grieved indeed if the Government give way by allowing the whole Bill to drop. Most moderate men would, I think, be better pleased if they could see their way clear to adopting the Church of England Temperance Society's plan—namely, ten years' limit."

[*Cries of "Name."*] It is not a letter addressed to me, so I am afraid I cannot give the name. Here is a cutting which has been sent to me from a newspaper in Hull. It concludes by saying—

"I cannot but think, Sir, that the unseemly attitude of the would-be leaders of the temperance party give the lie direct to all the sentiment that has emanated from the temperance platforms for the last half-century. Opponents of the scheme would cajole us into believing that it is to the compensation clauses only that they object; but how they can expect any man of common sense to swallow such utter rubbish passes my comprehension altogether, seeing that the compensation is purely permissive, and that the scheme if carried in its entirety would practically give to the people that very local option which temperance reformers have worked and striven and prayed for for years, and amongst those who have looked to this as an earnest of victory for our cause may be numbered many of those who to-day so madly denounce it, for the miserable dog-in-the-manger reason that it comes from the wrong side of the House."

[*Cries of "Name."*] It is signed "A Good Templar." I have one more extract to give. It is taken from the speech of a gentleman once well known in this House, chairman of the Essex County Council, and who has been for many years intimately associated with all temperance movements in the country—I refer to Mr. Andrew Johnston. ["A Liberal Unionist."] That does not detract from the importance of the statement—

"They had the most temperance Budget that had ever been brought in. It suggested a system for reducing the number of public houses in London in a way that all could agree with, but the full-blown Radical could not agree with shutting up public houses unless at the same time he ruined the publicans. He wanted practical reforms, for he was quite as ardent a reformer as ever; but he did not wish to bring them about in the same harassing way as the Radicals."

I have one more illustration to give of the support which we are likely to receive from the Temperance Party in

connection with this question. It is from the Church of England Temperance Society. Let us contrast what their conduct has been in this matter with the conduct of some other societies, which shall be nameless. This society waited upon me as a deputation to discuss the proposals of the Bill. They recognised that, whatever might be said to the contrary by the opponents of the Government and of the Bill, it was an honest and well-intended attempt to deal with this great question of intemperance, and they put before me certain suggestions which they said required to be considered in connection with this matter by the Government. They desired to represent to the Government that the existing powers of Magistrates, while not in any way set aside by the Bill, should be recognised as existing in express terms in the wording of the Bill. To that I saw not the smallest objection. We have not the least intention of interfering with any powers now possessed by Licensing Magistrates, and we shall be glad to introduce words in order to make this plain. Then the deputation dealt with grocers' licences, and urged that no privileges of removal should attach to conditional licences. I am also prepared to deal with those licences. They also set out that the bases of the arrangement under which agreement for the purchase and sale should be made under the Bill should not be considered as necessary to be adopted by Parliament when it came to deal with the whole question; and to that also I see no objection. [Sir W. HARCOURT: Why not?] Subject to these reservations, the Government have been able to obtain the support of this great Temperance Society. It has not been content simply with giving the Government a negative support in this matter. It recognises the attempt we are making, and it has gone the length of advising its friends to support the Government in the proposals they have made. I have felt it to be of supreme importance that we should have an opportunity of putting before the House and the country the details of our proposals, because I believe the more widely the proposals we are making are known the more we are likely to obtain support from all classes of the community. I confess that we are disappointed at the way in which we

have been met by some Temperance Associations in this matter, and by some of those who advocate the cause of temperance in this House. But I earnestly hope that a fuller consideration of our proposals may enable them somewhat to alter their position towards us. However that may be, I ask the House and the country to believe that our sole object has been to help temperance reformers and to promote the cause of temperance; and we appeal to the House to give us their assistance in the carrying out of an object which I believe we all have at heart. I move the Second Reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Ritchie.*)

\*(5.22.). MR. CAINE: I am sorry to say that neither the appeal with which the right hon. Gentleman concluded, nor the able and clear speech he has delivered, nor the arguments he has adduced in the course of that speech, have any effect whatever in inducing me to withdraw the Amendment which I am about to move—

"That this House declines to assent to a Bill which provides by payment out of public moneys for the extinction of annual licences in the manner provided in the said Bill."

The right hon. Gentleman said that the proposals which the Bill contains are equitable and desirable, and that the opposition brought forward is owing to a misunderstanding of their nature. I can assure the right hon. Gentleman that the Bill itself is exceedingly easy to understand. The difficulties which I and my Friends experience have not been in understanding the clauses of the Bill, but in understanding the various explanations which Ministers have given with regard to them. The right hon. Gentleman also spoke of the Bill as being brought forward from a desire to help those who are battling with intemperance. Well, Sir, those of us who oppose the Bill have been for years past battling with intemperance, and we can see nothing in this measure, taken as a whole, which is at all likely to promote the cause we have at heart. On the contrary, we believe that it will seriously injure it; and, therefore, we feel compelled from the initial steps of these proposals to oppose them to the utmost

of our power in every legitimate way. I beg to assure my right hon. Friend that I do not in the least doubt his good intentions, especially towards the liquor trade; but it is the method by which he proposes to carry out those good intentions that we object to. It would appear as though right hon. Gentlemen on the Front Bench opposite cannot do anything for the Temperance Party without doing something at the same time for the liquor trade. Whilst offering 6d. to meet the demand of the Temperance Party they give a good round sovereign to those engaged in the trade. I will not follow the right hon. Gentleman into all the ridicule he has endeavoured to cast upon the expressions of public opinion which have been elicited by this Bill. It is perfectly natural, if hon. Members who are opposed to the principle of this measure, and have put down notices of opposition are supposed by its authors to misunderstand the principles of the Bill—it is perfectly natural that humble individuals up and down the country who are not here to follow the intricacies of legislation should also be under some misunderstanding. But I will endeavour to show that some of the “misunderstandings” on which he has poured ridicule are very natural and legitimate conclusions to draw, and that the country is justified in supposing that the proposals of the Bill are only a re-introduction of the proposals of 1888. The right hon. Gentleman referred to a very old friend of mine—Mr. Andrew Johnston—as being in favour of this Bill, but this gentleman is certainly strongly opposed to any money compensation being given out of the rates or taxes to publicans who may have lost their licences. Mr. Johnston took the chair for me, in 1888, at a meeting in Essex, called for the purpose of denouncing the proposals brought forward by the Government at that time. The right hon. Gentleman claims that he has secured the support of the Church of England Temperance Society. But I would point out to the right hon. Gentleman that he has only secured, if at all, the assent and support of one of the committees of that organisation. I have no hesitation in saying, from the intimate knowledge I have of that association, being myself a vice-president and on its Parliamentary Committee, that its

*Mr. Caine*

main body would probably repudiate any such compromise as has been arrived at by the committee. Let us know the exact truth of the case. Canon Ellison, chairman of the Church of England Temperance Society, has issued to the Members of this House a document in which he expresses the hope that support will be given on the conditions contained in an enclosed communication which appeared in the *Times*. What are those proposals? This is one them—that in any such Bill as the present the Church of England Temperance Society will maintain that the licence-holder is the only person whom the law recognizes that he has no legal but only an equitable claim to compensation; if there are other interests behind, as are claimed, it must be a matter of agreement between themselves; that compensation shall be on the limited basis put forward by the Church of England Temperance Society, and shall be restricted to the period of 10 years from the passing of the Act. We have heard from the right hon. Gentleman a detailed account of the concessions which the Government are prepared to make to the Church of England Temperance Society. Will any purchase made under the Bill be on the lines thus laid down?

\*MR. RITCHIE: If the hon. Gentleman will read further on he will see the suggestions which have been made by the Government for the alteration of the Bill.

\*MR. CAINE: The suggestions are there, but I take my stand on the Bill itself. It is a suggestion contained in a letter to the *Times* which I am quoting, and I ask the right hon. Gentleman whether he is going to insert in this Bill a clause directing that when the County Council and the publican agree with regard to the price, that price shall not be higher than the equivalent of 10 years after the passing of the Act? If the right hon. Gentleman puts that in he will largely modify his proposal, for 10 years hence the whole objectionable features of the Bill will have passed away. The fact of the matter is—that if Members opposite who are members of the Church of England Temperance Society are going to take any notice of this whip, I claim their votes for my Amendment without hesitation, unless, of course, they get a concession of the

conditions contained in the communications I have already referred to. I cannot understand how the Church of England Temperance Society could have accepted such paltry concessions as those made by the Ministers in charge of this Bill. I may point out, however, that this is the action of one of the committees only of a society which has ramifications all over the country. The Liverpool Diocesan Church of England Temperance Society, for which I claim as much respect as any other Temperance Society, passed at its annual meeting, last Thursday, resolutions which, while approving the proposals further to tax spirits, to continue the increased duty on beer, to reduce the duty on tea, and to prohibit the issue of additional licences, strongly disapproves of the proposal to authorise County Councils to purchase liquor licences, on the ground that they are only held from year to year, and are not proper subjects for compensation. The resolutions go on to invite all Members of Parliament representing Divisions in the diocese to use every effort to secure the rejection of this part of the Bill. I have still further evidence on this point. On the 9th May a meeting of the Liverpool Temperance Federation, conspicuous in which is the Church of England Temperance Society, was held. A resolution was unanimously adopted by that federation in favour of the Government Bill so far as it restricts the issue of future licences, but strongly disapproving the proposal to pay compensation for liquor licences. The total abstinence branch of the Church of England Temperance Society, which contains two-thirds of the members, and all the energy of the Church of England Temperance organisation, also at its annual meeting on the 13th passed a resolution which strongly opposed the Bill and urged their members to vote against it. At the meeting last referred to the Chairman made a speech in which he called attention to the fact that on the preceding night I had asserted in the House of Commons that the Temperance Party would go solid against any proposal for giving compensation to publicans. At that statement there was long continued cheering, the audience rising like one man, and this completely discomfited the chairman, who had himself previously spoken in

favour of some sort of compensation, and had suggested that the British nation would not desire to ruin the publicans. I can assure the committee of the Church of England Temperance Society that they have not heard the last of the whip which they have sent out. Now I come to the Bill itself. The right hon. Gentleman said that if we were successful in carrying my Amendment the whole of the Bill must go. But why should the whole of the Bill go? It contains four distinct provisions, namely, (1) Police superannuation; (2) Conferring a vested interest on publicans; (3) Suspending the issue of new licences; and (4) Free education for Scotland. The Educational, Superannuation, and Suspensory Clauses, to which I believe no opposition will be raised, are the sugar that coats the compensation pill. The principle of the Bill is, undoubtedly, contained in the attempt to create for the first time a legal vested interest in a public house licence. The acceptance by the House of my Amendment will only withdraw from the Bill three clauses out of 14; three sub-sections out of the balance. If these disappear the suspending of licences and the superannuation of the police and the education proposal for Scotland will, I think, meet with little serious opposition. And why should we not carry them without consenting to this bribe to the publican's interest. I am greatly surprised that the Government should again raise this thorny question during the present Parliament. When the President of the Local Government Board was introducing the Local Government Bill, in 1888, he said, on the Compensation Clauses—

"We have determined, therefore, to make some proposal to the House which we believe fair and equitable, and it is for the House to say whether it is acceptable to it or not. We shall make a proposal which we hope the House will accept. If the House does not, our duty will have ceased."

Well, Sir, the House and the country repudiated the proposal. It cost the Government two seats—Southampton, where their majority of 668 was turned into a minority of 885; and Ayr Boroughs, where a Unionist majority of 1,175 was turned into a minority of 63. And be it remembered that in the latter constituency the seat was recovered when this compensation question was out of the way. History will repeat



itself if the Government persevere. A warning has already come from Bristol, and the country will repudiate this latter proposal as vigorously as in 1888, and all the more because it is sought to bring it in by a back door. The President of the Local Government Board objects to the word "compensation" being used as regards this Bill. I am not surprised at it; it is a word of ill omen to him. I have not used it in the Resolution which I have to move, but it lurks behind, and neither he nor I can keep it out of Debate, if we would. This Bill is intended, under cover of some small concessions to temperance reformers, to establish a money value in licences granted for 12 months only; so that, whenever the question of a large extinction of licences may come up in the future, the principle of compensation shall be found to be fully established. We have a statue in St. Stephen's Hall to John Hampden, and he earned it by his resistance to ship money. The sum was but small on each county; but there was the principle, and it was to the principle that Hampden objected. In his speech last Wednesday to a deputation from the Church of England Temperance Society the President of the Local Government Board said—

"The word 'compensation' never appears in the Bill, and I assert, that in doing what we have done, we do not lay the basis of compensation. . . . I assert that we do not desire by our proposals to lay down any lines upon which compensation is to proceed when Parliament comes to deal with the whole question of licensing."

I am sure my right hon. Friend is sincere in this declaration, and yet I differ with him *in toto*. The Bill has not been so understood by the Temperance Party in country, or by the leaders of the Liquor Trade; nor has it been so understood by the Conservative Press. What does the *Standard* say? The *Standard* speaks of the Bill as,

"A measure which assumes that County Councils might think it right to purchase instead of confiscating rights in licensed premises."

It proposes to enable

"Local bodies that are desirous of making a positive and immediate reduction to do so by offering fair terms to the publican."

Surely, "to purchase instead of confiscating (so-called) rights in licensed premises" will "lay down lines upon

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which compensation will proceed" in future legislation. But I commend to the President of the Local Government Board the following remarks of the *Birmingham Daily Mail*—an organ most devoted to the interests of the Government. They are as follows:—

"We scarcely think Mr. Ritchie is smoothing the passage of the Government licensing measure by quibbling over the meaning of the word 'compensation.' There is no reason why he should not at once admit that the Bill which comes before the House of Commons for Second Reading on Monday next does establish the principle of compensation. All the hair-splitting in the world, and the strictest insistence on verbal accuracy, will not get over that fact. We take Mr. Ritchie's contention to be this—that the payments of money authorised by the Bill are for the purpose of extinguishing licences, and not for enriching the outgoing publicans. Well, what is that but compensation? Why cannot Mr. Ritchie frankly say that with certain reservations the principle of compensation must be conceded. Why beat about the bush and give the Temperance Party the impression that the Government shrink from the responsibility of urging that a licence-holder has in equity, if not in law, a claim to compensation."

Now, there is a refreshing frankness about the *Morning Advertiser* and the *St. James' Gazette* that the President of the Local Government Board would do well to imitate. The trade understands it as we do. What does the *Morning Advertiser* say? The *Morning Advertiser* says—

"The trade in both its departments are prepared to give an unanimous support to legislation which, however defective in regard of their interests, proposes to give them a certain measure of protection. They have the assurance that the Government have, at all events, put their foot down against plunder, and asserted the principle that the suppression of a licence through no misconduct on the part of its holder shall be effected by payment for its extinction. Once this principle is established by Parliament it cannot be revoked off-hand when Sir Wilfrid Lawson and his friends chance to find themselves on the Treasury Bench or behind it. They will have to respect the action of their predecessors, they will have to assume an honesty if they have it not, and it is because the Licensing Bill of the Government will—among other things—provide a safeguard in the future that it invites the approval and support of the trade."

What does the *St. James' Gazette* say—

"The Government has successfully asserted the principle that the extinction of a licence (not forfeited by misbehaviour) shall be accompanied by compensation. And once established in an Act of Parliament, and once set at work, the principle cannot well be thrown over when the Radicals come into power. They may kick and complain, but they would scarcely venture to treat the remaining licences

with less honesty than those whom their predecessors had bought out."

Let me go to a Conservative paper of quite a different character. *The Rock*, a Church of England family newspaper, says, in a leading article (April 25th, 1890)—

"The blot in the plan, the fly in the ointment, is the renewal by a side-wind, of that old idea of compensating publican for the non-renewal of licences. Their licences are for the first time to be treated as vested interests. Next Sunday is the Church of England Temperance Society's Sunday in London. We trust that powerful and prudent Society will weigh the insidious drift of this suggestion about County Councils buying up licences. It is the thin end of the wedge for much more extensive demands, and it will be the first time the English law has admitted that inn-keepers had vested rights in their licences."

But now I wish to call my right hon. Friend's attention to the words of one of his own colleagues. The President of the Board of Trade (Sir M. Hicks Beach), speaking at Bristol on Primrose Day, said—

"The brewer and the publican may surely not feel dissatisfied at the important recognition of the principle of compensation for licences taken away without any default of their holders."

I might go on *ad nauseam* with such quotations. It is idle for the Government to pretend that the Bill does not set up the principle of compensation. If it becomes law, the first County Council that buys up a licence with a view to extinction confirms and legalises the principle that there is a money value in a public house licence granted for 12 months, and no longer. The principle contained in this Bill, therefore, is, that no public house licence shall be extinguished without money compensation, except for offences against the law, and it is that principle the Temperance Party intend to resist to the bitter end. In his speech to the Church of England Temperance Society, the President of the Local Government Board, said—

"I am very glad of the opportunity of saying that if they are driven to argue it, the Government will argue this question of compensation, and will maintain that in order to deal with this question effectually, the question of compensation must be recognised."

Well, Sir, the Government have brought the argument on themselves, and it is now necessary that I should remind the House of what are the views of the Government on compensation.

We are not left in doubt on that point. The President of the Local Government Board during the Debate on the Bill of the noble Lord the Member for Paddington (Lord R. Churchill) made it perfectly clear that the compensation to be laid down in any future measure the Government may introduce, with a view to a settlement of the licensing question, will be identical with that proposed in 1888 in the Licensing Clauses of the Local Government Bill for England. What were the proposals of the English Local Government Bill? In introducing that measure the right hon. Gentleman (Mr. Ritchie) said—

"The question of the measure of compensation shall be referred to an arbitrator who shall consider what is the difference in the value of the particular house with the licence and of the house without the licence at the time of the passing of the Bill."

The Division on this Amendment will be a clear enough issue. Those who vote with me will declare that they cannot consent to a proposal which will confer a freehold interest in a licence granted for 12 months and no longer. That is all I ask the House to do. If we are defeated and these clauses become law, it will become impossible to extinguish a single licence without a money payment, "equal to the difference in the value of the particular house with the licence and of the house without the licence." This will become evident the moment a possible transaction is considered. A section of the public want to get rid of a public house. I will take a well known case in Liverpool as an illustration. Five or six years ago a large gin palace was built opposite the gates of the principal dock for American liners. The application for a licence was opposed by all the steamship owners using the dock, and by all the stevedores loading the vessels. It was, however, granted. The house cost £8,000, and in 1888 the owner refused £20,000 for it. If this Bill becomes law immediate pressure will at once be put on the County Council to extinguish this licence on account of the mischief it is doing to the workpeople in the docks. The County Council will try to come to terms with the owner, who has just refused £20,000. The house is of no use for any trade but that of a public house, or that of a coffee palace. The first thing the owner would do would

be to go to Peter Walker & Sons, or some other great monopolist. Any of the great monopolist brewers would jump at the chance of acquiring such a house. Having made his bargain with them, the owner would use it for screwing up the Council. This licensed house, which is exactly of the kind that the public want to see closed, could not be bought up by the County Council under, at least, £20,000. Liverpool's share of the grant of £350,000 will be £7,000, so that they could only extinguish this house by exercising the borrowing powers of the Bill and taking three years' instalments. This transaction once through, the principle of compensation would be established for all time in Liverpool as well as the rest of the country. The transaction would be thundered forth from the opposite Benches as having established a principle from which Parliament could not depart. In considering this Bill we must use our own common sense and the knowledge of our own districts, as to what effect it will have if it became law. The right hon. Gentleman says—

"The money we desire to appropriate would enable Local Authorities to get rid of a considerable number of comparatively valueless public houses which are probably doing much more harm than more valuable public houses; especially in the rural parts of the country."

He said he hoped to be able to do that without raising the burning question of compensation. He has found out his mistake by now. He has raised that question. The principle which, I contend, would be legally established by the purchase of the great Liverpool gin palace, would be quite as successfully established by the buying up of the little rural public house. Let me take a case of which I have some personal experience. I am a partner in a mining company at Millom. There was a small house on a freehold which we do not own, but over which we have royalties. It came into the market, and we sent an agent to buy it at any price. He bid up to £390, and the house was bought over our heads for £400. When asked why he had not bid higher, he said the value of the house was only £200. A licence was removed to the house, and a man began to make money by demoralising our miners. There came a time when we had to take the minerals from under the house, and we had to pay £2,200 for it. If this Bill

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had been passed we should have tried to get the County Council to buy it. Millom's share of the £350,000 will be £80. I contend that this Bill, whether viewed from the standpoint of the Government, or the Opposition, or the Liquor Trade, or the Temperance Party, must inevitably set up the principle that a 12 months' licence is a freehold. I turn now from the consideration of the principle to that of the methods by which the Bill proposes to carry it out. The measure contains no scheme for reducing the number of public houses throughout the country, no principle to guide Licensing Authorities in awarding compensation. It leaves the County Council to make its own bargain with the publican whose licence is to be extinguished. It is a Compensation Bill for publicans without a scrap of machinery to carry it out. I wonder whether the right hon. Gentleman has submitted his scheme to the Chairmen of the County Councils and got their opinions upon them. I shall be greatly mistaken if, before the Bill gets through Committee, the County Councils do not make it abundantly clear that they will have no such powers conferred on them with their goodwill and consent. I have heard only to-day that the Cardiganshire County Council have passed a resolution condemning the proposal to pay compensation. I should like to read a letter I received this morning, which I am sure will have great weight with hon. Members, especially Lancashire Members. It is from Mr. John Fell, Chairman of the Quarter Sessions of Lancaster, and who, I think, has been Chairman of the Licensing Committee for some years. Mr. Fell who, I may add, is a supporter of the present Government, writes to me:—

"I think you are thoroughly in the right in opposing the recognition of any vested interest in public houses to be acquired in any sense by public funds. As you know, for many years I have, as a magistrate, held the view that renewals were absolutely discretionary, subject, of course, to the preliminary notices required by Statute and the right of appeal. In my 30 years' experience as a magistrate no new licence has been granted, except on the ground of apparently sufficient public requirement to justify it, proved on oath by witnesses, generally representing localities. If the reasons which induced the magistrates to grant to any individual the exercise of a privilege and limited monopoly in the sale of drink have passed away, the cause for the licence has also passed away. Why should anyone be compensated because in a pure trade

venture in which he has simply invested adequate funds to carry out his enterprise, the surrounding circumstances have changed? The applicant for the licence, if he misconstrued the bearing of the law, has been unfortunate—so is everyone else who commits the same mistake, but it has always seemed to me monstrous that we, the general public, should have anything strained to recognise a vested interest in any licensing venture, as if the licensee had been a public benefactor and heroic. I could tell you of many a modified fraud which has been practised on Licensing Justices to secure a licence; but I am merely writing, as one of your constituents, to say I thoroughly approve resistance to the principle of compensation in any form. I hope Mr. Goschen will withdraw his plan. With the knowledge now well realised of the licence being only renewable from year to year on adequate grounds, I fear there will be an ugly rush at the money provided for the extinguishment of licences in the hands of County Councils, possibly a good deal of jobbery to secure a share for the indifferent houses, whose fate is pretty well sealed at no distant date by surrounding causes."

I quote this because Mr. Fell's name is so well-known in the North of England, and because I am sure his opinions will have great weight with Members from the North of England. Now, I think the Government have no right to try to settle the compensation question apart from the whole subject of licensing reform. A Suspensary Act rather indicates an intention to deal comprehensively with the whole question; but if the Suspensary Clauses are only intended to buttress the principle of compensation, they will not be of any great value to the Temperance Party. But I want to call attention to the absurd situation which, in my judgment, this Bill will land us. The President of the Local Government Board has squared the Church of England Temperance Society, for the Second Reading, at any rate, by promising to insert words that shall make it clear—

"That nothing in this Act should be taken to interfere with the powers possessed by the present Licensing Authority to refuse the renewal of licences without payment."

I want the House to see the position that this promise sets up. If this Bill becomes law the County Council may give £1,000 for the extinction of a licence, and next week the Justices may refuse to renew a licence in the same street of the same town without any payment whatever. This shows the utter absurdity of attempting to settle the principle of compensation apart from

a general and comprehensive settling of the whole licensing question. Again, I ask the House to consider for a moment the ridiculously inadequate amount of money allocated for the purpose of extinguishing licences. £350,000 is to be divided among 52 English and Welsh counties, £50,000 among 33 Scotch counties, and £40,000 among 32 Irish counties. The Chancellor of the Exchequer, in one of his speeches on this subject, spoke of this money as a nest egg. If the right hon. Gentleman ever kept poultry he knows what a nest egg is; but, if he does not know, I will tell him what it is. It is a sham egg put into a sham nest to induce hens to lay real eggs. That is precisely the operation this Bill will have on the taxpayers of the country if they are foolish enough to allow it to pass into law. I have already suggested the inadequacy of the sum, but let me give London alone as an illustration. London's share of the grant cannot be more than £60,000. I have circulated to Members a pamphlet giving particulars of the valuations of public houses in the Metropolis in 1888, on the basis of the clauses of the Local Government Bill. They show that the lowest average valuation at which the 10,000 "on" licences of London can be estimated is £5,000 each. This is not my valuation; but that of two eminent firms of valuers in the City of London. The money allocated to London, therefore, will be enough to extinguish 12 houses in the whole Metropolis. But it will be found, if this Bill passes, that every district of the Metropolis will have public houses to be extinguished. For County Council purposes London is divided into 58 districts. Each will want its share, £1,000. Does the President of the Local Government Board believe that there is a single fully-licensed house in London that can be bought up for £1,000?

\*MR. RITCHIE: Certainly.

\*MR. CAINE: I advise the right hon. Gentleman to test it. I say, without any hesitation, that to close one house in each district the County Council must accumulate their share of the grant for five years. The right hon. Gentleman is under impression that lots of public houses can be extinguished for an old song. Let him build a public house, and go into the market to buy a licence up,

and he will soon find out how mistaken he is. The restrictive policy of recent years pursued by magistrates under increasing pressure of public opinion and the keen competition of monopolist brewers have given a large speculative value to licences which never existed before. He now proposes to add a fresh competition to the market in the shape of all the County Councils in this country. What can be more ridiculous than a grant which gives £60,000 a year to extinguish licences among 4,000,000 of people? That gives to the mining counties of Cumberland and Cornwall £3,000 and £5,000 respectively. To Glasgow, £6,500; to Belfast, £1,500; to Huntingdonshire, £800; to Rutlandshire, £160, and to the vast County of Yorkshire, with its 2,500,000 of industrial population, £35,000 a year to extinguish annual licences which the Bill granting the money turns into perpetual Government leases. We have been told over and over again that the publicans will have to pay this compensation. We have an interest in the Revenue. We get the revenue from liquor, tea, Income Tax, property, and other sources. If this pernicious principle of taking taxes for the relief of rates continues, continual gaps will be made in our £85,000,000, which must be made up from other sources, and we draw upon our Reserve Fund, we draw upon the resources of the ratepayers just as much as if we raised taxes. I cannot admit for a moment that my interest in the tax raised from beer is any less than my interest in the tax raised from tea. We are taxed all round; the public house is a taxable article, and I am not going to be humbugged by the argument that the tax on drink is not a tax laid on the whole community. But I want to turn from the proposals of the Bill itself, which I think I have conclusively proved to contain the principle of compensation laid down by the Government in 1888, to the effect the acceptance of that principle will have upon the whole future of the Temperance Movement. That is the main reason why I have raised the opposition to the Bill. The declaration of the principle of compensation in the Local Government Bill of 1888, to which I have referred already, meets with the uncompromising hostility of every section of the Temperance Party,

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who believe that if it were once established, their difficulties would be increased ten-fold, and a solid wall of 200 million of sovereigns would be built across their path, which is now clear and unobstructed. We cannot entertain any proposal which gives anything but a 12 months' interest in the licence. We contend that the liquor trade is a peculiar one and differs *in toto* from other trades. If a man wants to start a public house, he has to go before a magistrate, and furnish evidence of good character. Unless he is a man of unsullied reputation, and unless a public house is required in the neighbourhood, the magistrates cannot give him a licence. When he has got a licence, he is placed under constant police supervision, and the trade is carried on under severe restrictions. A man who has been convicted of felony cannot keep a public house. When the Claimant, who called himself Roger Tichborne, came out of prison, his friends raised a subscription, and thought the best thing they could do for him was to put him in a snug public house. They applied for a licence, and the magistrates were about to grant him one, when the clerk said: "You cannot do it." "Why not?" they asked. "Because he has been convicted." A man once convicted cannot be entrusted with the trade. He may become a grocer, or a draper, or a minister of religion, or a Member of Parliament, but he cannot be a publican. Nothing can be clearer than that a licence is a permission given to a carefully selected individual to sell a dangerous article for 12 months, and that the State, by closely limiting the period, has always reserved to itself the right to withdraw the permission. A publican's licence is not held by him with the object of him making money out of it: it is held as subordinate to the public good and in fulfilment of a supposed public requirement. The holder of a licence for one year only has no legal claim to a licence for the next year. In 1882 the right hon. Gentleman (Mr. Ritchie) carried an Act through the House giving Justices the same discretion with "off" beer licences that they possessed in regard to public houses and "on" beer licences. Within two months of the passing of the Act the Darwen Justices, then represented by the noble Lord the

Member for Rossendale (the Marquess of Hartington), instructed the Chief Constable to prepare a map of the town to indicate positions of the holders of licences. The off-licenses had reached great proportions, and the Justices resolved to make an effective reduction by refusing licences to 34 out of 72 off beer licences, which, by act of Parliament, enjoyed the same privileges, and were held under the same discretionary power as on-licenses. These 34 selected one of their number to appeal to the Quarter Sessions. Quarter Sessions at Preston confirmed the decision of the Local Magistrates, as those who knew best what was good for the community. The publicans appealed to the Queen's Bench, and they confirmed the decision of the Quarter Sessions. Those 34 licences were extinguished without a single penny compensation. Mr. Justice Field rightly said, in the Court of Queen's Bench, in November, 1882, in giving final decision in the *Darwen* case, "In every case in every year there is a new licence granted. The Legislature recognises no vested right at all in any holder of a licence." It is, too, equally clear that these licences are not considered to be "property" in the sense of property which would pass to the holder's Trustee in Bankruptcy—for in a recent case in which such a Trustee took possession of a bankrupt publican's licence and opposed applications for its temporary transfer to the landlord of the house, the learned Chief Judge in Bankruptcy held that the Trustee had no right to the licence. The recent case of *Sharp v. Wakefield* shows that this view is held by Licensing Magistrates and sustained by County Quarter Sessions, Queen's Bench, and Court of Appeal—the latter finally deciding that the Justices had an unlimited judicial discretion in the matter, and might refuse to renew a publican's licence on other grounds than the want of qualification, bad character, or misconduct of the applicant. I contend this is proved and upheld by the authors of the Bill under discussion. It is therein stated expressly that new on-licenses shall only be granted, "at the free and unqualified discretion of the Licensing Authority," and President of the the Local Government Board stated, last Monday, that these words were inserted

to make it clear that no right whatever should attach in the case of new licences. But every licence now in existence has been granted on precisely similar terms, and no rights whatever should, on the same grounds, attach to them. Let me call attention to a statement made over and over again by the Chancellor of the Exchequer, and confirmed again and again by my right hon. Friend (Mr. Ritchie). The Chancellor of the Exchequer argues that because he and his predecessors have charged Probate Duty on licences, that, therefore, a vested interest has been created. There may be reason for refunding these unjustifiable imposts if they really amount to anything worth refunding; but we are entirely in the dark as to the details. I trust the Chancellor of the Exchequer may see his way to furnish the House with some specific details on this point. I have made inquiries from professional valuers. Here is what a very large firm wrote—

"We should not in valuing for probate the effects of a deceased publican, include anything on account of the licence beyond the proportion of its cost to the next date of payment."

I will ask the Chancellor of the Exchequer two questions on this point. Firstly, What is the largest amount ever paid, to his knowledge, in Probate Duties for the value to the estate of the deceased of an annual licence? and secondly, Can he give any case in which the amount paid has been larger than the proportion of its cost to the next date of payment? If this be all the Probate paid, I make him a present of his argument. No compensation ought in any case to be given for the extinction of a privileged monopoly at the end of the time for which the privilege has been granted, and for which nothing has been paid. Excise fees are required for taking up the licence, but neither certificate nor licence are in any sense paid for. Monopolies bar all claim for compensation, since they already confer what is equivalent to compensation in the advantage given by the monopoly. The position of the holder of a publican's licence is clear enough—he has special profits from the licence which restricts competition, while he risks the monopoly being withdrawn. But the contention of Gentlemen opposite is that these licences have changed hands at high prices, and that, therefore

we have no right to refuse to renew them without substantial compensation equivalent to whatever loss the present holder may sustain. But to this I reply *caveat emptor*! ought the buyer to have injured the conditions. How have these enormous values been built up? I take the first case I come to, out of hundreds in my possession. A man built a house a short time ago, close to Burscough Junction, a country station near Ormskirk, in Lancashire. It cost him £400. He applied for and got a beer licence, then he got a spirit licence, then he sold the House for £4,000. He walked into Court worth £400, he walked out with a certificate, for which he paid nothing, worth £4,000. What did the brewer, who bought his house for £4,000, get? Bricks and mortar worth £400, and the purely speculative chance—I admit a good chance—of getting a 12 months' licence renewed. The trade of the place improves; he makes money, and sells it to some other brewer, or to the public, for £6,000. The new purchaser steps into his place, and again buys the purely speculative chance of a renewal of licence. And this is what has taken place, and is taking place, all over the country. Fictitious values have been created, and have been forced higher and higher by the greed of brewers for retail as well as wholesale profits, and by the greed of a section of the public for high rates of interest. The electors of this country will never consent to endow monopolist Brewery Companies with £200,000,000; they must stand the risk of the advance of temperance sentiments themselves. The Government now ask the House to turn this speculative and artificial value attached to the chances of renewal on an annual licence, into a State endowment, making shares in Brewery Companies as good as Consols. We may frankly admit that the liquor trade is the very good friend of the Conservative Party, but Gentlemen opposite will hardly succeed in getting such a plum for the trade as this. The top of the market in licences has been reached. In the gradual or rapid extinction of drinking facilities, to which now all politicians stand committed, the loss must be borne by the silly purchasers of speculative licences, and not by the British public. Now let us consider the effect the acceptance of

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the Government's proposal will have on future temperance legislation. Certain points both sides of the House are practically agreed upon. Firstly, the transfer of licensing powers to County Councils; and, secondly, that the tremendous facilities for drinking should be reduced speedily. This side of the House is prepared to accept the principle of the Direct Veto, and if the Liberal Party ever form another Government, it will be embodied in an Act of Parliament, unless my hon. Friends opposite anticipate them, as they done before. The acceptance of full compensation on the lines of the Government proposals will terribly increase the difficulty with temperance reform of all classes in all future legislation. Let us consider how it will affect these proposals, on which everybody is agreed, and suppose that County Councils and Municipalities have the power of granting and renewing public house licences. No one knows better than the President of the Local Government Board that if the present powers possessed by Magistrates were transferred to County Councils there would be a mighty quick clearing out of objectionable public houses without compensation, and that in many districts Councils would be elected who would reduce the number of licences by more than one half. It is to prevent this being done, without enormous burdens being laid on the ratepayers, that the Government now propose, to quote the *Morning Advertiser*—

"To provide a safeguard for the future and put their foot down against plunder, by asserting the principle that the suppression of a licence can only be effected by payment for its extinction."

*The St. James's Gazette* says—

"A principle once established in an Act of Parliament, and once set to work cannot be thrown out when the Radicals come into power."

I want to show the Temperance Party in the House how this will operate, by a supposed case, but one very likely to occur if Councils have a free hand given to them by legislation. In the Debate on the Bill introduced by the noble Lord the Member for Paddington, I referred to a recent sale of public house property in Liverpool; I will take it once more as an illustration. I do so the more readily, because a director of Peter Walker & Simkin is a member of this House, and I

speak in the presence of other Members who know Liverpool as well as I do myself. This firm has, within the last few days, sold its business to the public for £3,000,000, the vendors showing their confidence in the price obtained by taking half the shares. This price was paid for three breweries, a bonded store and offices, stock, book debts, and 250 tyed public houses. There is no monopoly in a brewery, so if we estimate the three breweries to have cost £250,000 each and the bonded store to be worth £100,000, the book debts and stock being declared in the prospectus at £150,000, we get £1,000,000 from these three items, we have £2,000,000 left as the amount paid for 250 licensed public houses. No one who knows these public houses, as I do, and as many hon. Members do who hear me, would value them without the licences at more than £500,000, so that the difference in value under the terms of the Bill of 1888, which the Government still hold, and in principle seek to establish, would be just £1,500,000. These are fairly average public houses, neither very extensive nor very small, and I claim, therefore, without hesitation, that the average price of a licence in Liverpool is little short of £6,000. Now, supposing the Corporation of Liverpool were the Licensing Authority, it is no stretch of imagination to assume that they would receive instructions from their constituents to reduce the number of licences in Liverpool, now about 2,000, by one-eighth at least, probably more, and, under what the Government call equitable compensation, £1,500,000 would be required for the purpose. But this Bill only gives Liverpool £8,000 a year, and this cannot be capitalised beyond £24,000. Where must the rest of the money come from? Of course, it comes out of the pockets of the ratepayers, who would rightly refuse so large a sum for the dubious advantage of having only 1,750 public houses instead of the present number 2,000. In Bristol, where the public houses are not, on the average, more than a third of the rating of those in Liverpool, a large Brewery Company has one tyed house to each £4,870 of capital. In Newcastle, another has 215 tyed houses to each £3,260. In Plymouth, another has 146 tyed houses, representing one to £2,700 of capital. If the

principle of compensation is right, by all means let the House accept it, but with their eyes open. If it is right, then the publicans are entitled to the full compensation proposed in 1888, or they are entitled to *nothing*. If the former, nothing short of £250,000,000 will pay for their entire extinction, with a proportionate sum for their partial extinction. The money can only be raised by an increase of national or local indebtedness, for the pretence that the trade itself can pay is too flimsy to be worth a moment's argument, and is in itself destructive of the whole principle of equitable compensation. There is a disposition on the part of advocates of compensation to rest their case upon precedent, and this is insisted upon in a clever pamphlet entitled *Compensation: The Publicans' Case*, by Mr. Charles Cazney, Barrister, who rests this part of his case on precedents, some of which have been mentioned in the House, afforded by the Acts for the Abolition of Slavery, for the Abolition of Purchase in the Army, and for the Disestablishment of the Irish Church. Now, I contend that none of these are analogous to this issue. The money paid to the West India Planters was paid by way of a bribe, and not as equitable compensation. The original proposal of the Government of the day was to advance to the West India body a loan to the amount of 10 years' purchase of the annual profit, amounting to £15,000,000. This was met by the Acting Committee of West India planters, by a demand for £20,000,000 compensation, and a loan of £10,000,000. Eventually, the £15,000,000 was extended to £20,000,000 to get rid finally of a question that threatened the allegiance of our West India Colonies, that had become strained beyond endurance. It was far more to save the colonies from absolute ruin than to compensate the slave owners that the loan was granted. It is quite true that this loan was never repaid, but in all the Debates on the subject—and I speak in the hearing of one right hon. Gentleman who took part in those Debates—it was referred to as a loan, the repayment of which, however, was never insisted upon. But the slaves were by law the property of their owners for life, bought and paid for, as the right hon. Gentleman



the Member for Midlothian said during the Debates, property honestly and legally acquired. But if the planters had held a licence from the Government to enslave the blacks from the first of September next ensuing and no longer, and had had to come up every year to have an annual licence renewed, what compensation would Parliament have given? When the Slave Trade was abolished in 1808, not one penny of compensation was asked for, not one penny of compensation was paid. Then the abolition of purchase in the Army, which has been referred to, and as to whether this established a precedent for compensating publicans for loss of an annual licence, I think an answer was given by one or two interruptions from this side, and I do not suppose it will be pressed by any hon. Member speaking to precedent. In the Army Purchase Act, the compensation was given for money already paid by the officers, and not for a fictitious value created by competition. The commissions had been bought and paid for. I do not think this will be pressed as a precedent, but if it is, there are Members in the House who were responsible for the measure and who will, no doubt, disclaim and disprove the views that it forms any precedent for the present discussion. At any rate, it did not pass the House without strenuous opposition from the Radical Party of the day, led by my old friend Mr. Peter Rylands. The nearest precedent that can be quoted of the present claims of the publicans are the treatment of the collectors of taxes and of the Curates under the Irish Church Disestablishment Act, who, undoubtedly, had no freehold or life interest in their curacies. But these were not compensated out of the taxes, but out of the Irish Church Fund; a different thing altogether. They were not licensed for 12 months only, to conduct a trade that the State has always considered a danger to society, but they were servants of a Department of State, whose avowed object was the religious instruction of the people. There is no existing precedent which can reasonably be brought forward to justify the endowment of publicans with a freehold in the annual licences, to be paid for at full value if they are taken away in the interest of the community. It is because there is no precedent that the

*Mr. Cairne*

Government seek to set up a precedent. I am aware that the authors of this Bill deny any such intention. Speaking to the Church of England Temperance Society on May 7, the right hon. Gentleman the President of the Local Government Board said the Bill would

"Form no precedent for a general scheme when Parliament tackles the great question, as it must do."

Now, with all respect to the right hon. Gentleman, I must deny his conclusion. The Government may not desire to establish a precedent, but they can no more escape the logical issue of their acts on licensing than on free education, for instance. They declared last year that the grant of a sum of money for the payment of school fees in Scotland did not concede the principle of free education. But here in this very Bill is a further proposal to round the whole thing off. That they were mistaken then everybody admits to-day. They made the grant, and the principle is admitted all round. So it will be with compensation. Once lay down the law empowering Local Authorities to buy licences at the full market price, and put it in practice, and a similar result will follow. If we are to compensate publicans for refusal to renew licences, then, on the other hand, we ought to grant compensation to owners of property in every case when that property is injured by the granting of a public house licence. I have taken two districts of Liverpool, each consisting of a block of six streets. One is at Toxteth Park, on an estate owned by my hon. Friend the Member for Flint (Mr. S. Smith), and on this estate there is no public house whatever. In these six streets there are 443 houses. The poetical names of the streets are Elaine, Enid, Geraint, Gwendoline, Merlin, and Modred streets. The houses have each a five-yards frontage, and are built after a pattern which is popular in Liverpool, each having five rooms and a scullery. The income from these 443 houses last year was £8,744. Now, take the other block of streets at the other side of the city, at Everton, a pleasant district, a much healthier district than Toxteth Park, and a district very popular among the better working class. Here are 482 houses in six streets. I give the names, which are equally attractive, Bulwer, Coniston, Grassmere, Rydel,

Ulswater, and Windermere streets. They are the same kind of houses, with five yards frontage, five rooms and a scullery. There is this difference, however, that there are eight public houses on the estate, and hence it is that we find the income from these 482 houses was last year £6,820, or taking 443 houses, for the sake of comparison, the income was £6,268; that is to say, a public house reduces rentals on 443 houses by £2,500 a year, 30 per cent. on the whole rental. What compensation is there for this? Sir, I remember very well, when Mr. Bruce's Bill was before the House, attending a meeting of owners and occupiers of public houses. The speakers thundered about compensation until at least one gentleman present rose and desired to put a question. I have, he said, four houses from which I derived £160 a year until a public house being opened close by, since which my rents have fallen to £90. Who is going to compensate me? Well, Sir, the chairman ruled him out of order. Now, I want to warn the Government that if they persevere with these clauses of their measure we shall be bound to put down Amendments in this direction, that if publicans claim compensation from the rates owners must claim compensation for injury to property from public houses. I do not wish to press this any further at present. We are taunted with obstructing temperance legislation, and of depriving the police of benefits—this may be conferred by our opposition to the Bill. I do not agree with this at all. There is no difficulty about police superannuation. If the Government think it is a good thing, I call upon them, whatever may be the fate of the rest of the Bill, to go on with that, but not to bracket it with proposals the Temperance Party cannot accept, and which would ruin their movement for long years to come. We may be charged with obstructing temperance legislation, but we take the responsibility of that without the slightest fear or hesitation, knowing what public opinion will be. Then we are asked to propose a compromise. There is a section of the Temperance Party which has made a proposal for compensation and agree to pay solid black mail to the trade in the shape of 10 years' lease of life. Now, will the Government accept that as a

final settlement of the controversy? I do not offer it, but I tell the Government if they choose to bring in a Bill on the lines of compensation proposed by the Church of England Temperance Society, neither I nor anyone else could prevent it coming on the Statute Book. I only say this as a word of friendly advice. I make one last appeal to the Government to find some way out of the mess they have got into. I have shown no enmity to the Government, except in 1888 and again to-day; but I tell them frankly that if, by this Resolution, I could turn them out, turn them out I would with the greatest pleasure; for I consider their proposals are fraught with such danger to the whole community that I would run any risk on any other subject and rather than allow them to pass into law. You may make jokes at expressions of public opinion, but I challenge Members on the Treasury Bench to take a test of public opinion. Let them go into the streets in any district where working men live, take 100 men, and, having separated from these every teetotaller, from the remainder take an opinion whether they would consent to a farthing of the people's money being paid as compensation to publicans. I do hope the Government may accept the Amendment I bring forward. I do not see why they should not. Let them take this question out of the Bill, and keep it back until they are prepared to deal with the whole question of licensing. I am puzzled and bewildered by the action of the Government. What do they hope to get by thus dragging a furious controversy on to the back of an already overloaded Session? Do they think they can carry this Bill, the Tithes Bill, and the Irish Land Purchase Bill? Are they going to give up remedial legislation for Ireland to compensate publicans in England? If they think they can gain popularity by such a proceeding, I give very little for their judgment. Are they going to please the Church of England Temperance Society by throwing over the Tithes Bill in favour of this measure? The best thing the Government can do is to frankly avow they have committed a blunder. Other Governments have committed blunders before. No doubt the right hon. Gentleman the Member for Derby will have

something to say if they withdraw these clauses, but never mind him. His past career is not altogether free from such blunders, and he will be ready to admit that. Withdraw this Bill. Nobody wants it. I fail to find that the Government are under any trade pressure and certainly they are under none from the Temperance Party. No doubt it is an honest, *bond fide* attempt on the part of the Government to give effect to certain qualms of conscience awakened in them on account of the increased consumption of liquor, and I am glad their conscience is pricking them; but let them "bring forth works meet for repentance," let them withdraw the Bill or accept my Amendment, taking these clauses out and to the rest of their proposals they will find no opposition that they cannot overcome. Take these clauses out and it is a good Bill. I did at one time put down an Amendment attacking the whole Bill. I have thought better of that, and now simply attack these clauses alone. Any Member of the House can vote for my Amendment without committing himself to more than the Compensation Clauses as here drawn. I do not condemn by my Amendment any form of compensation except that contained in this Bill. We are determined to get rid of it if we can; and if we cannot, we shall open an agitation for the repeal of the measure—an agitation which will be supported not only by the Temperance Party, but by the Church of England, the Nonconformists, and every person in the community who cares for the welfare of humanity.

*Amendment proposed,*

To leave out all the words after the word "That" to the end of the question, in order to add the words "this House declines to assent to a Bill which provides by payment out of public moneys for the extinction of annual licences in the manner provided in the said Bill,"—(*Mr. Cairns*.)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

(6.45.) **MR. STOREY** (Sunderland): My hon. Friend has spoken as a teetotalter and as the acknowledged mouthpiece of the teetotalters; but I address myself to this subject from a different standpoint, for I am not a

*Mr. Cairns*

teetotalter. Now, Mr. Speaker, apart from the owners of public houses, whom this Bill proposes to compensate, I think the people of this country may be divided into three classes—a main army and two wings. There is the first wing composed of those whom the Chancellor of the Exchequer classed as tipplers and drunkards, and I propose to leave the Government, whose coffers these gentlemen have filled, to speak for them; there is the second wing composed of the teetotalters, and for them my hon. Friend has spoken. Sir, I shall venture to speak, or, at any rate, I shall claim to speak—I do not know whether my claim will be allowed—for the great body of sober, respectable people in this country, who are not teetotalters, to whose stomachs wine is a comfort and the pleasures of Guinness's stout and Islay whisky not unknown, and yet who are so permeated with a sense of the enormous evils springing from drink traffic under our licensing system that they are prepared to march long and march far with their teetotal brethren in the path of licensing reform. Now, I said my hon. Friend is the mouthpiece of the teetotalters, and I must say, if the Chancellor of the Exchequer had been present during the speech, he would have complimented him upon being one of those whom the Chancellor of the Exchequer loves, for, like the right hon. Gentleman's correspondent whom he quoted in reference to the Budget, he is a patriot, although he is a Radical. My hon. Friend's views upon the Union proclaim his patriotism and his action to-day, the threats he has held out to the Government, have convinced us—some of us did not need convincing—that upon this as upon many other points my hon. Friend is a Radical still. Now, the right hon. Gentleman the President of the Local Government Board spoke kindly and fairly of teetotalters in this matter, and though I am not one, and I will venture to say the majority of hon. Members are not teetotalters, I am sure the wish of the House is that the habits and practice of the right hon. Gentleman were imitated by supporters of the Government outside. For instance, I read in the *Spectator* for Saturday, that ancient and rather antiquated organ of philosophic Liberalism which now supports the Government—

"This effort like every other reasonable effort of the kind, is hotly opposed by temperance fanatics. Their hatred of publicans is far in excess of their love for sobriety or compassion for the drunkard, and they hope, by getting rid of the Bill, to have opportunities of gratifying their hatred in the future."

Now, Sir, is it not time that these ridiculous libels against a noble body of men should be relegated to the limbo of forgetfulness? I am not a teetotaler, as I have said; but ought we not all to recognise that these are men who take this for their principle: "If meat maketh my brother to offend, I will eat no flesh while the world standeth, lest I make my brother to offend." If these men are right, they are nobly right; if they are wrong, surely they are magnificently wrong. But I claim to speak as I have said for the non-teetotalers, and I shall exhibit, and I feel, no hatred for publicans, and I shall not deny to the right hon. Gentleman and his Colleagues recognition of the claim they make that they are making an honest effort to do something to diminish the evils of drunkenness. In the short space in which I shall address the House I shall go from the ordinary ratepayer's point of view—the ordinary citizen's point of view—straight to the point, and to my contention that this Bill is vicious in principle, and woefully insufficient for the end proposed. For my part, I think we ought, as the Americans say, to get down to "bed rock" principles in this matter. I have no desire to see public houses perish from the land. I do not want to see the day when there will be no more public houses in the country. If we could imitate the simplicity of Eastern manners, when every man away from home could go to the first tent, enter, and claim by right the hospitality of the owner, why then we could, perhaps, do without public houses; but in the present state of civilisation there must be public houses, and all that the State can do is to see that these houses are suitable for their purpose. Now, what were the public houses conceived by Parliament, and as supported by Parliament? The public house conceived by Parliament was a place of public entertainment for man and beast, where a man could take not only his liquor, but such other food as he requires, and other than alco-

holic drinks; where, if he needed it, he could get a decent bed for himself and his family. Is that the public house as it exists to-day? I admit freely that there are hotels in London in large numbers answering to this description, and I admit also that in some of our large towns you can find a few such hotels; and scattered up and down among our smaller towns and villages you may find admirable public houses still fulfilling this ancient purpose of their being. But what in great majority are public houses in London and in such towns as that I represent? Instead of comfortable attendance, rest and refreshment for man and beast, you find a flaunting gin palace or a glaring long bar, where the servants who ought to be ministering to the wants of decent people stand and dispense liquors and nothing else; where the ostler and boots, whose duty in ancient times was to make travellers comfortable, are now employed as "chuckers out" when customers become unruly. I welcome any reform that may bring the public house back to its original position. I would not have public houses abolished. I would have them places of entertainment, and the sale of intoxicating liquor is not at all a necessary adjunct of the institution. You may have a multitude of public houses, in no sense of the word places for the sale of intoxicating liquors. Who is the publican now and who was he formerly? He used to be what, in a limited number of cases, he still is—a man living on the premises with his wife and family, interested to have as few unpleasantnesses as possible in his trade. His presence, with his family, was a bond for the business being properly conducted. But what is the publican now? He lives away from the mischief the public house creates, in his villa, or, it may be, in his castle, and the business is carried on by a servant—a bond-slave who does the dirty work by which his master lives, and who deserves compensation more than the man who does no work at all. The 6th clause of this Bill is extremely peculiar—

"The County Council may either, on the application of any Urban or Rural Authority, &c., enter into such agreement with persons having any interest in the premises."

Who has the interest? There is the

nominal licensee. I asked the First Lord of the Treasury last week for the names of the real owners and the names of the nominal licencees. He told me he could not give them, and that it would be very expensive, costly, and inconvenient. But I can give the right hon. Gentleman some information about the town which I represent—Sunderland. It has a population of 150,000, and it is a very fair sample of the large boroughs of the country. I find that in Sunderland we have 254 fully licensed houses—I omit the houses "off" for the present. Ten firms, or 10 persons only, own no less than 154 of the 254 public houses—that is to say, three-fifths of the whole. These houses, as a rule, are big houses; for it is your fashionable brewer, who lives in his villa, who takes care to get the best houses with his accursed capital, because that capital is accursed which goes to the creation of these long bars and gin palaces. And if you proceed to compensate, four-fifths of the spoil will go to these gentlemen. As a matter of fact, in one township of Sunderland, there are 37 public houses, 28 of which are owned by two persons only. Whom do the Government propose to compensate? The clause says they will compensate the persons interested in the premises. Take these 150 public houses belonging to brewers, who live away from them. These men are the real licensees, but they put in persons who are tenants-at-will, and who can be turned out by the brewer at a moment's notice. It is very evident that the tenant-at-will cannot have any interest in the premises. It is the brewer or the owner of the house who has the interest. Therefore, this is not a Bill to compensate the poor man who does the work of the brewer for a small pittance; it is a scheme to compensate the owners of the public houses at the expense of the public at large. I am not disposed to agree to any such compensation as that. I can understand that there would be some hardships in the case of those who have invested their money in and really keep the public houses, who have been brought up to the trade, probably, all their lives, and know none other—persons who have some country village inn—if we suddenly put an end to their means of living. I would come, with such holders of public houses, to some reason-

*Mr. Storey*

able arrangement by which time would be allowed them to convert their drinking shops into reasonable places of entertainment. There are many moderate Members on this side of the House who would not object to such a proposal as that. But there is no proposal to compensate such persons except they are owners. Inasmuch as the great majority of houses, especially in the North, are held by monopolists, who do not subject themselves to the unpleasantnesses of the trade, and who make money out of other men's labour, and the foolish arrangements of the law, I am not, for my part, disposed to agree to the compensation scheme of the Government. Who is to pay this money? It has been said that this is a compensation to be paid by drink to the sellers of drink. I dispute entirely that any portion of this money is to be paid by drink. The Chancellor of the Exchequer said, on the 18th April, that if the gigantic drink bill of the nation is responsible for the police work and the pauperism, then it is certainly not out of place that the consumer of spirits should contribute in some slight degree to the cost for local purposes. The Chancellor of the Exchequer says because A B C D E and F drink that which makes them drunk and cause mischief, therefore G H J K down to Z should be asked to contribute towards the cost of the police to keep the others in order. He went a little further. He said the Customs and Excise expected some decrease in the consumption, not perhaps in the total amount of revenue by measure, but because further watering may take place in consequence of the increased duty. Am I not right in saying that it is not drink which is going to pay, but that you are going to charge people like me for extra water in order to provide a fund to compensate publicans that are bought out? My hon. Friend the Member for Barrow referred to the entire inadequacy of this Bill for the purpose in view. I find the 254 public houses in Sunderland are rated at some £21,000 a year. If you take half that rateable value as the difference between the value of the house when it is licensed and the value of the house when it is not, you get the rateable value of £10,000 a year; and if you apply the rule of the noble Lord the Mem-

ber for Paddington of giving a publican 24 years' purchase, you get a total sum for Sunderland of £240,000. Assume that we should agree to extinguish half of the public houses of Sunderland, we should have to find a sum of nearly £120,000. How much does the right hon. Gentleman give us to perform this magnificent operation with? If ever we get the money, I have ascertained that it will amount to £1,233 per annum, so that the people of Sunderland would have to wait 100 years before they could get rid of one-half of the public houses of Sunderland. So inadequate is the Bill that I do not believe the right hon. Gentleman ever proposed it for the purpose of passing it into law. I believe it has been sent out as a sort of pilot vessel to ascertain the state of the weather. Finding a dark sky and a rough sea, the sooner the right hon. Gentleman gets his small vessel into harbour again the better it will be for him and his Government. The hon. Member for Burrow seemed to think there were valuable clauses in the Bill. I do not think there is a valuable clause in it. I think the principle of subventions to County Councils is so vicious in itself as to make the grant an evil, rather than a good, thing. But who says that the County Councils want grants? Why, the mining county of Durham to which I belong is so favourably circumstanced that we have not a county rate at all. Owing to the money we have borrowed, we have only a small police rate of 2d. Or take Hampshire, an agricultural county. The County Council there is so rich with subventions that they do not propose to have any rate this year—simply a small police rate of 1½d. in the £1. I am opposed to subventions out of public money, which, in my opinion, are used for the purpose of unfairly relieving property in counties of charges. It is said that the clause relating to police superannuation is an important matter. It may be as regards the counties; but as regards the boroughs we do not want this money, and we are competent and ready to take care of ourselves. The Bill is said to contain a proposal for suspending the granting of further licences. Does it? Does it contain anything more than we have at present? The right hon. Gentleman says he is going to bring in a Bill providing that

no new licences are to be granted other than for removals, or transfers, except in the case of hotels, refreshment houses, and so on. But I ask the right hon. Gentleman will he tell me of a single place in the country where this is not practically the law at the present moment? For several years in the borough of Sunderland no new licences have been granted. The voice of the people of Sunderland has been so dead against the multiplication of licences that the Magistrates have been glad to adopt this course. In fact, I do not know a town or country district in which for several years past it has been the habit to grant new licences unless in the exceptional cases that have been referred to. But if the right hon. Gentleman knew as much about the North of England as he does about London, he would understand how this proposal makes the Bill offensive in my eyes. He tells us that no new licences are to be granted except by way of removal or transfer; but I say that this is the worst of the operations that have been taking place. Let me put the case of a district in a town from which the inhabitants have removed. The public houses in that district have little or no trade left. What has the brewer done? He has built new houses in the progressive parts of the town, and has persuaded the Magistrates to give up the useless licences and transfer them to other houses in the new and improving localities. This is one of the most mischievous things that could take place, and yet the right hon. Gentleman makes in his Bill the very exemption that will allow it to be done. He would permit, by the proposed transfer, the creation of big houses in lieu of the small ones, and thus make a large compensation necessary instead of a low one. Therefore I say that in so far as this Bill provides for the suspension of the granting of new licences, that is already practically secured, and that in so far as the right hon. Gentleman desires to exempt removals, he is perpetuating one of the great evils which the Bill ought to remedy. In my judgment, the restrictive clauses of the Bill are a sham. They are like most of the proposals I have heard from Her Majesty's Government since I have sat opposite them. They bring in, with a good

deal of flourish, Bills which they put before the country as the means of doing great things; but when we come to examine them they are really very little. Let me illustrate this remark. They brought in an Allotment Bill which was to do no end of good; but what has become of it? They have had to bring it back, and now propose to amend it, as it was of no use. Then they brought in a Tithes Bill, which was regarded as a great measure; but it was so unsatisfactory that it was not passed into law, and having been driven out of Parliament last year, they bring it forward again in a new form this year. Then they brought in a Bill for the creation of County Councils; and wherever one goes the Conservatives say, "Oh; you must, at least, admit that the Conservative Government brought in the County Councils Bill, and that that is a great matter." Well, Sir, I know it is not very popular to say so, but I think the County Councils Act is one of the hughest shams ever passed through Parliament and palmed off on a confiding public. The County Councils are great bodies, but they have very little to do. They meet four times a year as a rule, but when they do meet they soon separate, because of the small amount of work that is put into their hands. The County Councils Act, when supplemented by a Liberal Government, may become a great measure; but, at the present moment, it is a fair illustration of what I call sham legislation. Well, then, let me ask, is it not the same with the Land Purchase Bill? They bring in a Bill for the purpose of settling the Irish land question. [An hon. MEMBER: Order!] I have simply used the Land Bill as an illustration to force my point home to the right hon. Gentleman, and I am glad it has succeeded. They bring in an Irish Land Bill, and they propose to settle that question with one quarter of the money that will be necessary to settle it. Their Licensing and Suspensory Bill is of the same character. It pretends to do what is being already done, and it refrains from doing whatever of a valuable nature it might do. The mere fact that a Suspensory clause is in the Bill is not sufficient to induce me, notwithstanding my objection to compensation, to vote for the Second Reading of the Bill. I conclude

*Mr. Storey*

that this Bill is in its financial aspect unnecessary, and inadequate, and that it is, therefore, my bounden duty to give it my continuous opposition, because it takes money from the wrong people, and gives it to the wrong people, and because it introduces by a side-wind an unjust and novel principle, which, if effect be given to it, will at one stroke of the pen add £200,000,000 to the liabilities of the nation. I beg to second the Amendment.

(7.22.) **SIR R. LETHBRIDGE** (Kensington, N.): Before I proceed to follow the general remarks contained in the two speeches to which I have just listened in support of the Amendment, I desire to make an appeal to the right hon. Gentleman the Member for Newcastle. I am sorry to see that he has just left the House; but I have no doubt the appeal I venture to make will be conveyed to him. I have been requested by one of my constituents, a most respectable licensed victualler, who lives in the constituency I have the honour to represent, to bring to the remembrance of the right hon. Gentleman a most solemn and explicit pledge which that right hon. Gentleman gave to him at the time he was a candidate for Westminster in the year 1880. That pledge was contained in a letter written in answer to one addressed to the right hon. Gentleman by my constituents asking what would be his conduct in regard to a Permissive Bill, Local Option, and similar proposals. The right hon. Gentleman, whose letter I hold in my hand, after replying to some of the questions addressed to him, proceeded thus—and I ask the House to take particular notice of the words here used—

**SIR WILLIAM HARCOURT:** Did the hon. Member give notice to my right hon. Friend that he was going to quote that letter?

**SIR R. LETHBRIDGE:** I am sorry to say I did not give him notice; but I have no doubt that the fact of my referring to this point will be brought to his attention, and he will have an opportunity, in the later period of the Debate, to reply. These are the words I desire to quote—

"I may add that I should strongly oppose any legislation which should overlook the fact that immense capital has been embarked in

your trade in the ordinary expectation that the trade would not be interfered with."

That letter was written to Mr. D. Gupwell, of the Talbot Hotel, Clarendon Road, North Kensington, and was dated February 10, 1880. That gentleman entirely accepted the solemn pledge given by the right hon. Gentleman. I do not know how he voted; but he spoke and acted at the time in a manner friendly to the right hon. Gentleman. I am aware that since the time when the right hon. Gentleman gave that pledge a good deal of somewhat intemperate language has been used all over the country by a portion, and I believe only a section, of the Temperance Party. I may say here that I regard myself, although a very humble Member of the Conservative Party, as a Member of the Temperance Party, and a supporter of the views of that portion of the Temperance Party which is temperate in its wishes, its language, and its expectations, namely, the Church of England Temperance Association, whose views I believe will ultimately be successful in this country. I have myself received very strong representations of various kinds from those who are opposed to the Bill, and who are at the same time supporters of a temperance movement. I may say that some of those gentlemen threaten me with all sorts of dreadful consequences for my action in this matter; but not one of them has ever yet voted for me, or is likely to vote for me in the future, nor for that matter for any person belonging to the Party with which I have the honour to be connected. I have mentioned the fact of my belonging to one section of the Temperance Party, which is the section that I regard as temperate in its wishes and expectations. We have been told that when the Temperance Brigade were out on parade there was not a single sober man in Ballyhooly; and I venture to think that intemperance of speech on this subject is not altogether confined to the Sister Island. Since the proposals of the Government have seen the light an attempt has been made by a section of the Temperance Party to make the question of what may be called permissive compensation a sort of principle of the whole Temperance Party. It has been pressed upon the view of the public that a man cannot properly be said to be

an advocate of temperance unless he opposes everything in the form of payment for the extinction of licences. If this were so, it would seem that the object of the temperance movement was not the extinction of drunkenness, or the suppression of those crimes that spring from drunkenness, but hostility to the persons who are engaged in the Licensed Victuallers' trade. It seems to me that an attempt is being made to transfer to the licensed victuallers that hostility which I venture to think would far better be shown against the trade itself and the abuse of the trade. All I can say is that the trade of the licensed victualler has been always recognised by law. My right hon. Friend the Chancellor of the Exchequer showed clearly that in regard to taxation a certain amount of interest in this trade has been recognised by law. In regard both to the Probate Duties and to other taxation, the taxes have been levied on the value of the licensed premises regarded not merely as houses but as houses possessing licences. I confess that I should be ashamed to be associated with any friends of temperance legislation who would insist on attacking the property of those engaged in the traffic rather than the abuses of the traffic. I agree that my right hon. Friend the President of the Local Government Board would possibly be well advised in introducing some alterations in Committee to meet the objections of the hon. Member for Barrow with regard to the possibility of speculations in licences. I entirely agree with the hon. Member for Barrow that anything like an encouragement to speculators in licences should, if possible, be prevented. But clearly such a matter as this is one for Committee, and ought not to enter into the discussion at this stage. Admitting that the abuse of the drink traffic is sinful, I agree with the hon. Member for Sunderland (Mr. Storey) that the traffic itself is really very necessary for the comfort of many of us. Even if we grant, for the sake of argument, that the traffic itself is sinful, surely that is not any reason why the Legislature should act unjustly to those who are engaged in it. Many hon. Members will have in their minds the old maxim of John Wesley, to the effect that while you hate and attack the sin, you should love the sinner. I



want to ask the House whether, if we assume that the object of the temperance movement is to restrain intemperance, and not to punish publicans, that object will not be greatly assisted by the proposals of the Government in this Bill. It is perfectly obvious that the effect of this Bill will be in a way to grease the wheels, if I may use a familiar term, of the temperance movement. For a long time past the strongest opposition to the temperance movement has undoubtedly been aroused by the fact that very great personal suffering and personal loss must accrue from any large extinction of existing licences. If we can obtain the great boon of extinction of a number of unnecessary, and, therefore, pernicious licences, is it not well we should do so, provided we can do it by fair, honourable, and honest means? This brings me to the one question which I, as a temperance advocate, think this House should consider with regard to these proposals of the Government, and that is whether, allowing that they will put an end to a great deal of opportunity for drunkenness, they are in themselves such as we can approve, as moral, expedient, and non-injurious to the taxpayers of this country? The method proposed by the Government for obtaining a fund with which to purchase the extinction of licences aimed at under this Bill seems to answer this question in the affirmative. Who are to provide the funds? The licensed victuallers themselves. The liquor traffic is to be taxed in order to obtain the means of extinguishing the most injurious portion of the trade. Therefore, no taxpayer will be one penny the worse for this proposal. No one can doubt that, under the operation of this Bill, a large number of licences will become extinct, and that at once marks the proposal as being desirable in the cause of temperance and morality. I am free to admit that the proposals of the Government are also expedient from the point of view of the publicans themselves. It is quite true that the extinction of some of these more injurious licences will possibly enhance the value of those which remain. Therefore, the trade itself will endure the imposition of the tax necessary for the purpose of extinguishing the licences. I say, then, that these proposals have this very great advantage, that, whilst they are

compatible with national honesty and morality and injure no class, they will benefit all. I have already given reasons for regarding the proposals of the Government as entirely compatible with morality. If the Government had not proposed to pay for the extinction of these licences, it is clear that they would have been taking away—I will not say a vested interest, because it is clear that the interest exists for a twelve-month; but, at any rate, an interest that has been recognised by the law of the country for many years, and which is practically recognised and understood by everyone, and especially by the trade itself in its purchases. Therefore, I say that the proposals of the Government, while they are expedient and will promote the cause of temperance, are also compatible with the interests of morality. I shall accordingly support the Bill most readily, and I do hope that there will be found amongst those on the opposite side who, like myself, are moderate advocates of temperance, many who will come over and help the Government with this most important measure.

\* (7.41.) MR. WAYMAN (York, W.R., Elland): If ever there are times when constituencies require to be represented by the voices of their Members as well as by their votes, I think this is unquestionably one of them. I have never, during the time I have sat in this House, received so many letters on any subject as I have received on the subject now under discussion, and all those letters are most strongly antagonistic to the proposals of the Government on the question before the House. Two years ago it was brought home to the Government that the compensation proposals in the licensing scheme of the Local Government Bill were proposals which the country was strongly averse to, and I think the Government showed great prudence in retreating before the storm they had provoked. However, there was no good reason why they should have retreated from the whole of their licensing scheme. No doubt there was much in the whole licensing scheme which might have been adopted with advantage and satisfaction to the country. The hon. Member for Barrow laid the country under obligation by his opposition to the licensing scheme of the Government two or three years ago; but he would have

*Sir R. Lethbridge*

laid it under a deeper obligation still if he had succeeded in inducing the Government to confer power on the County Councils to close public houses on Sundays, or in compelling them to give way to those who would have done so. The Government, however, do not seem to have learned much from their past experience, or they would not have made such proposals as those now under discussion. There was, two years ago, some excuse for them, because at that time a widespread feeling prevailed to the effect that there was a kind of freehold in licences, and the Solicitor General very firmly expressed an opinion to that effect. That opinion, I am quite aware, was roughly handled by the hon. and learned Member for Dumfries; but it was quite open to the Government to consider that the opinion of their Solicitor General was at least worth as much as that of the Member for Dumfries. Since then, however, the Queens' Bench Division and the Appeal Court have upheld the opinion expressed by the Member for Dumfries, and have knocked into a cocked hat the opinion of the Solicitor General. I do not doubt that the Government are perfectly sensible of the evils which result to this country from excessive drinking. I do not doubt either that they desire that the temptations to drink shall be sensibly reduced. I believe, as the President of the Local Government Board told us to-night, that the intentions of the Government are good; but we are told that a certain place, which I need not describe, is paved with good intentions. We want something more than good intentions. We want the Government to act with some degree of common sense, and with some perception of the feeling of the nation. There is nothing in the Bill which will compel a man to sell his licence, and a publican will refuse to do so except on terms which will yield him as great advantages as would the retention of his licence. I cannot see that the measure will be of much advantage in promoting the cause of temperance, which the Government profess to have so much at heart. I do not believe that the country will agree to leave things as they are, or to pay a most exorbitant price for the purchase of licences. The Government are impaled on one or other

of the two horns of a dilemma. Either they must give a licence-holder all he may demand for it, or they must leave it where it is. They have made up their mind that the drinking habits of the people shall be seriously considered, but no remedy can be successful unless it is applied in a most drastic manner, and certainly very different from what is the case in this Bill. I was very pleased to hear the hon. Member for Barrow say that if the Government were to accept the compromise proposed by the Church of England Temperance Society he would not oppose that compromise. It is practically carrying out a proposal made in this House, 20 years ago, by Lord Aberdare, and it has also been made recently in the *Times* by Sir Thomas Farrer, and I believe such a compromise would be perfectly reasonable. There has, no doubt, been a notion that licence holders should not be disturbed in the possession of these licences so long as they hold them without reproach. In these circumstances we feel that whenever the question is settled it must be settled by some kind of compromise; and that to which I refer is a kind of compromise to which the House might safely commit itself. We have been told by the Government that they intend that all the powers which are now possessed by Licensing Justices shall be reserved. These include the power both of granting and of refusing licences. By this arrangement we should have Licensing Justices doing one thing and the County Councils doing another. There would be a most ridiculous conflict of authority, and confusion and displeasure would reign as between one authority and the other. I have great pleasure in supporting the Amendment, and in expressing my obligations to the Member for Barrow for the able, comprehensive, and masterly manner in which he has laid it before the House.

*\*(7.52.)* MR. JEFFREYS (Hants, Basingstoke): It is said, "Why give the powers proposed in this Bill, as the Justices already have power to refuse licences?" Well, that may possibly be the law. It is disputed, but supposing that it is the law, I should like to know what Licensing Justices take advantage of it? Speaking for myself, and those Justices with whom

I serve, we feel the greatest difficulty in refusing the licence of a public house when it is well conducted and nothing is brought against it, although there is not the slightest doubt that in many villages there is a surplussage of public houses. I know a village in which there are three public houses, although two would be sufficient, and although we might possibly have power to suppress one, where all are equally well conducted it would be very unfair to single one out for destruction in preference to either of the others. Some years ago a public house in a small village was put up for sale, and it appeared to me that, as it was not wanted, it would be a good thing for the community if it were bought up and the licence extinguished. The value of the house was intrinsically £400, and when it was put up to auction, with the licence, it sold for £1,500. I could not afford to give so much, as it would have meant a loss of £1,100. The money was not subscribed by temperance friends; but under this Bill there would be a power of getting the money from the publicans themselves if it were desired to abolish such licences. I think the free-and-easy way in which transfers are often effected is a great evil, and I should like to see some change made in this direction. I disagree with the theory that large owners ought not to be compensated, because, in my opinion, simple justice requires that, if we are going to compensate one man, we should compensate all. I am not interested in any kind of brewers, but I recognise that theirs is a legitimate trade. There are a good many most honourable men who are brewers, and I think it a great shame to throw their trade in their teeth, and to say that because they are brewers they must be bad men. The brewing trade, to a certain extent, is a necessity, especially in England. Beer is a very good and harmless thing, if taken in moderation, and as we know it cannot be got without the brewer, I think it is hard to abuse the brewers. I feel very much indebted to the Chancellor of the Exchequer for having introduced the clauses with regard to the superannuation of the police. In the county I represent, the Superannuation Fund is getting exhausted, that fund having been started when the

*Mr. Jeffreys*

police first came into existence, about 50 years ago. At first all went well, owing to the subscriptions of the men, who were all young, but after 20 or 25 years, the police began to draw largely on the fund, and it was found too small to pay the pensions. The consequence is that every year it is necessary to sell out a certain amount of stock. If it were not that we have funded property, we should be unable to bear the strain, and I believe that many other counties are similarly situated. I should like to ask the Chancellor of the Exchequer what we are to do with this money when we get it? In aid of police superannuation we are to get £150,000, roughly speaking, £3,000 for each county. That would be amply sufficient for our county; but are we to understand that we are to have £3,000, comparatively speaking, every year?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's Hanover Square): It will be an annual grant.

\*MR. JEFFREYS: Then I think we ought to congratulate ourselves still more. With the aid of the grant we shall be able to put our Superannuation Fund in a thoroughly good state, and we shall get a better class of men, because they will know that their pensions are safe. I suppose the money will be allotted to the counties according to their number of police; indeed, I do not see any other fair way of allocating it. It certainly would be rather unfair that the counties which have managed their finance badly should receive as much as those counties which have managed their finance well. But the distribution of this grant, and also of the grants in respect of licensing and county finance is a mere matter of detail, which may be safely left to the Chancellor of the Exchequer. Certainly, all county Members ought to unite in thanking the right hon. Gentleman for having given us the money, which will be a very great relief to our local burdens.

(8.30.) MR. J. WILSON (Lanark, Govan): I rise to address the House as a Scotch Member on this question of compensation to publicans, on which Scotch people are much interested; and I should fail in my duty if I did not declare that all classes of the Temperance Party, and, in a large measure, non-temperance parties, are opposed to any

proposal of compensation on the lines laid down in the Bill. I speak in no spirit of ill-feeling towards the trade, although, personally, I have been an abstainer for many long years. I do not now speak so much as an abstainer as on behalf of my countrymen generally, the great majority of whom I am persuaded are opposed to these clauses. I do not object to be twitted as a fanatic, because, on principle, I am and have long been an abstainer. I have been impelled to this course as the result of long connection with the working classes, whom I have sought to influence by example. Often and often have I been told by workmen that it has been a temptation well nigh impossible to resist to pass the many public houses on their way home on pay day. My own experience as an employer of labour in Govan is that it is with the intention of tempting workmen that public houses are established. Three public houses were planted down at Govan; and my conviction has been increased that these licences tend to demoralise the community among whom they exist. With every word of the Amendment I cordially concur; and I hope the House which has listened to the exposition of the nature of this Bill, and the very damaging statistics my hon. Friend has brought to bear against the Government proposal, will show by its vote that it has no sympathy with the idea of public compensation to publicans. The licensing system in Scotland is somewhat different from that in England. In Scotland we do not license houses, but individuals, and hence it is that, though sometimes large sums are paid for a licence, they do not rise to the amount paid in England. In England I find you not only pay for the individual right to a licence, but you pay for the freehold right so far as the property is concerned. In Scotland, as a Justice of the Peace, it has often struck me with surprise to find how large a sum of money passes on the transfer of a licence, which might, in the ordinary course, be refused without even cause shown. But the transfer is taken for granted. I have known as much as £2,000 passing on the transfer. In England it is somewhat different, and I should say that any one who pays for a licence and buys the right to sell liquor does a very risky business. There is a

common idea abroad that the Licensing Authorities, in granting a licence, are supposed to confer a blessing on the community. At all events, I know that in Scotland the one thing for the Justices to consider is whether the licence will be for the public weal, and if it is not, then the licence should not be granted. But a system has got into practice by which the Justices are beset by the landlord, the individual who wants the licence, and their friends to induce the Justices to grant a privilege to the individual to which he has no right or title, and yet people have got it into their heads that in the event of the public weal demanding that a licence should be taken away, compensation must be given to the individual. I dispute the principle on which compensation for the non-renewal of licences is advocated, and contend that as Magistrates have the power to grant a licence for the public weal, without the slightest reference to compensation for non-renewal, so they have the power to withdraw or refuse the licence if the public interest requires it. I hold that the value and goodwill of a licence are entirely in the discretion or power of the Licensing Authority. The Chancellor of the Exchequer has stated that there is no desire by this measure to take away the power of the Magistrates to refuse licences without compensation, and yet he would give County Councils—quite another authority, and not the Licensing Authority—power to buy up licences. Why, there are no Magistrates anywhere who would put themselves in the invidious position of taking away a licence when the Government have actually provided the County Councils with money to buy it. I urge, further, that the sum of £50,000 to be given to the County Councils of Scotland under the Bill is an absurdly inadequate amount. It is scarcely sufficient to touch the fringe of the question. The amount is at the rate of £1,600 per county, while in Lanarkshire alone there are 5,000 public houses, and in Glasgow between 1,700 and 1,800. I am sure if the Chancellor of the Exchequer would look the thing in the face, he would see the futility of going to the country with such a proposal, putting an extra sixpence on the Spirit Duty, and coupling with it the sop of superannuation for the police, and

the assistance to education. Why, Scotland would rather forego both these advantages than be saddled with the monstrous iniquity of having to pay compensation for licences they want to do away with. Only last year in Govan the Justices had before them an application from a licensee who had lived for a considerable time in the borough. His lease had run out, and he had quarreled with his landlord, who claimed the licence should be transferred to him, while the licensee insisted upon his claim, but very wisely, as I think, the Justices refused the licence to either party. They were justified, as I contend, in the interest of the public weal. If public houses are a public benefit, how is it that the influence of the more wealthy classes prevents the existence of more than one small public house within the residential districts of Hillside and Kelvinside, near Glasgow? The whole system of licensing is one of gross corruption to the community. Wherever public houses are thickly planted in a community there crime, immorality, trouble, and misery increase. Whisky and morality cannot exist together. If we acted rightly we should take a very different course to that proposed in this Bill. Earlier this evening the right hon. Gentleman (Mr. Ritchie) said in his benevolence and wisdom, surely we would never consent to bring ruin upon the wives and families of publicans, but he had not a word to say for the wives and families ruined by this trade. These to the families of publicans are as 100 to 1, and anyone who knows anything of the masses of the working classes will not let this tenderness stand in the way of sweeping away, to a large extent, the sources of this immorality, misery, and crime that afflict humanity. Publicans often get a licence apart from any consideration of the welfare of the district where the licence is to be used. Some two years ago I was on the Bench when an application for a licence was made, and one reason put forward for it was that the applicant had a wife and 15 children. The Justices could not hold this a reason for granting the licence, and the man was respectfully told that he must find some other occupation to provide the means of maintaining his family than that of keeping a public house. With some people there is a kind of fascina-

*Mr. Jeffreys*

tion about the keeping of a public house, perhaps because the work is not hard and the profits are large. People acquire a licence simply for enriching themselves, and in no degree in the interest of the community. I was struck with one observation of the right hon. Gentleman (Mr. Ritchie). He told temperance advocates that the time was not ripe for a local veto, but if he were in his place now I could assure him that the people of Scotland are perfectly ready for a local veto. We have taken a *plébiscite* over large cities and towns, with the result that five to one of the people who are taxpayers are in favour of a local veto being put into the hands of the people themselves, and of this I am quite sure, that what would be invidious on the part of Justices and Magistrates in boroughs would not be invidious on the part of the people themselves, who would declare what licences should be granted and what withheld. I hope that when the right hon. Gentleman again considers this question he will eliminate from his view any idea that Scotland, at any rate, is not ripe for such legislation. The majority of Scotch Members are pledged up to the hilt for a local veto, and I hope they will remember their pledges to their constituents. I feel satisfied they will do so, and will not vote in favour of a proposal which is opposed to the right of the people to protect themselves against the planting of public houses in their midst. I may tell the right hon. Gentleman that so far as Scotland is concerned the "heather is on fire" on this subject. I speak for the united Temperance Party, the Good Templars, the Scotch Temperance League, the Scotch Permissive Bill Association, and many other temperance organisations in the country, and on their behalf I protest against anything being done in the manner proposed in this Bill to entail a burden on the people for the compensation of publicans, a principle which, in the general interest, should be condemned by the House of Commons.

\*(8.55.) MR. MARK STEWART (Kirkcudbright): I am quite sure that everyone who has heard the speech of the hon. Member who has just sat down will give him every credit for enthusiasm in the cause of temperance he so ably advocates. But there are others who,

actuated by the same motives, do not take the same views as the hon. Member. There are some on both sides of the House who think that something ought to be done, and done immediately, and who are not willing to wait until a large and comprehensive scheme is perfected and brought before the House for dealing with this very great question? Although I, for one, would rather see such a measure for dealing with the whole of the United Kingdom, yet I am thankful that the Government have seen fit to take up this question, and have turned their attention to the extent to which the drink traffic has grown. It cannot be denied that it is this which has prompted the Government to this legislation. Knowing well the difficulty of carrying a large measure through the House of Commons, I presume they thought they might still do something in the direction of diminishing drinking by diminishing the number of public houses, and hence the introduction of this measure. The measure divides into two sections. By one, the public houses are to be reduced in number by no further licences being issued, and by the other, and upon what we may call the "betterment" principle, the extra toll levied on drink is to be devoted to buying up certain public houses. It would have been matter of grievance if the Government had proposed fresh taxation in order to buy up public houses, but when, to diminish the number, the tax falls heavier on the remainder, I think it is a method to which we should not object. No one can doubt for a moment that one of the greatest evils to Scotland is the enormous consumption of whisky. But you cannot stop drinking by Resolutions and Acts of Parliament. We know perfectly well what would happen if we attempted it, and those of us who have travelled in the United States know that where State Legislatures have imposed very stringent laws against the sale of intoxicating liquors, these laws have failed in effect, and that, in a certain time, a man could go to various shops, and, under various names be furnished with raw spirits. You cannot entirely forbid the drinking of alcoholic liquors, although many hon. Gentlemen opposite apparently wish to do so. Hon. Members ought to welcome any means by which the number of public houses may be diminished. The

Government have been animated by a good motive in this matter; they have told us that this question must be dealt with step by step, and I venture to submit that this measure will not be passed in vain if it does some good, however slight; therefore, temperance advocates should assist us in passing it. Hon. Members say it will be unworkable; then let them pass the Second Reading, and endeavour to amend it in Committee. The Bill will not interfere with the present jurisdiction of the Licensing Authority; it does not prejudice the principle of compensation, for that principle may be discussed at some future period. The Government have already promised certain Amendments in the Bill; they have told us it shall not prejudice the general question of compensation. I should like to draw attention to the position in which publicans now stand. It is an artificial position. Publicans are very properly surrounded by the watchfulness of a vigilant police, in return for having a share in the monopoly of drink. But because they have that share it does not follow that each individual publican is enriching himself by pursuing a trade legalised by the law. If he is well behaved, and if his business is conducted properly, he may hope to continue a servant of the public. Then will this House ever sanction his being turned out of his house neck and crop, simply because the Licensing Magistrates have allowed him to pursue a legitimate trade, and then suddenly withdraw his licence. I think hon. Members opposite would be among the last to beggar such a man. It is not the publicans they dislike; it is the system to which they are opposed. The great difficulty arises from the system of tied houses. Until within the last few years there were no such houses in Scotland, and in that country, therefore, that difficulty can be easily dealt with. But in England most of the brewers own tied houses, and there the great difficulty of solving this problem will come in. Suppose that this Bill became law would it be possible to adopt any other mode of compensation other than purchase? The suggestion which has been made of giving a man a vested interest in his house for 10 years involves the principle of compensation. We must not drive rough-shod, to use the words of the right hon. Gentleman

the Member for Mid Lothian, over a frank recognition of this principle. We ought to look this question fairly in the face. This Bill is a step in the right direction. By passing it we shall be endeavouring to diminish drinking and to lessen the number of public houses, and I maintain that everybody who is interested in the temperance cause ought to vote for the Second Reading of the Bill. It has been termed an unrighteous Bill because it proposes to give public money for the extinction of licences. It will not give a shilling of public money compulsorily for that purpose. Then again, it is said it is unfair to affirm the principle in a Budget Bill, which affirms other principles. But the hon. Member for Barrow knows that it would have been impossible to carry a Bill for each separate proposal in the Bill. I thank the Government for attempting to carry a measure having as its sole object the promotion of temperance.

**\*(9.14.) Mr. J. BRYN ROBERTS** (Carnarvonshire, Eifion): I think the hon. Gentleman who last spoke entirely misunderstood the object of this Bill. He seemed to think the person to be compensated under the Bill was the licensee. But the fact is, it is not proposed to give a shilling of compensation to the publican unless he happens to have an interest in the house; the compensation will go entirely to the owners.

**\*Mr. RITCHIE:** The hon. Gentleman has made a statement which I am bound to contradict. It is perfectly clear that if the licensee has an interest he will be entitled to compensation under the Bill.

**\*Mr. J. B. ROBERTS:** What compensation will a licensee who is only a tenant at will get? I contend that, under this Bill, he will not receive a farthing.

**\*Mr. RITCHIE:** If the man is only tenant at will he can be turned out without compensation, and almost without notice; but I imagine the great bulk of the licensees hold on very different terms from that. I believe they hold on a much more secure tenure.

**\*Mr. J. B. ROBERTS:** The right hon. Gentleman's explanation fully bears out my contention, which is that the licensee takes compensation in proportion to his interest in the tenancy. If, for instance, he holds a lease for 10 or 20 years he will

*Mr. Mark Stewart*

be compensated in the proportion which the value of his lease bears to the value of the freehold. The compensation here paid will be exactly the same as in the case of a railway company which takes land, the amount of compensation that goes to the tenant is in proportion to the length of his tenancy which has still to run, and has no reference whatever to any permanent loss of occupation. If a railway company cuts through land held on a yearly tenancy the tenant is only compensated to the extent of the value of a year's occupancy. Reference has been made to cases such as that of the Irish curates and tax collectors, who have been compensated, but these instances bear no similarity to the present compensation proposals. Those are cases in which persons who have spent years of their lives in a profession or calling, and have thus become unfitted for any other, were compensated on being deprived of their occupation. But this is a proposal to compensate for loss of alleged property, which compensation will mainly go, not to the man who has carried on the public house business, but to the owner of the public house. But let me revert to the case of the Irish curate. Suppose the cases of such curates living in poor and thinly populated districts, and therefore occupying houses above the quality of the houses suited to the poor inhabitants of the district. The curates' houses becoming vacant owing to the abolition of curacies, and being practically unlettable to anybody else. If the compensation had been based on the principle of this Bill, it would, in the case put, have gone to the landlord of the depreciated house. But there the compensation was given, not to the landlord, but to the tenant, who was deprived of his calling or profession. No Legislature in the world would dream of compensating a landlord under such circumstances. The President of the Local Government Board has argued in favour of this proposal from the fact that Probate Duty is paid in respect of the value of the licence. The hon. Member for Barrow has controverted that point, and he has thrown considerable doubt upon it. But whether Probate Duty is paid or not, I quite admit that it ought to be paid. No doubt, if a house is licensed, there is a probability that the licence will be con-

tinued, and just as a man pays for goodwill and probable benefit therefrom, he should pay for the probability of the licence being renewed. Probability had a market value. But that is no reason why a probability should be converted into a certainty. Precisely in the same manner Probate Duty is paid on the goodwill of a deceased solicitor's practice, and the executors sell it, but they only sell the chance or probability that the clients will continue the business in the same office. If the clients decline to do so the purchaser cannot say to them, "I brought your future business, and the executors paid Probate Duty on it. It is, therefore, property, and you must continue it, or give compensation." It is clear that there would be no legal or moral claim for compensation from the clients, the executors, or the Inland Revenue. The public, or the State as representing the public, is in exactly the same position with regard to continuing the licence as the clients with regard to continuing their business. It may continue the licence or not. It is perfectly unfettered, and the discontinuance gives no claim for compensation, because the probability of continuance had a money value as long as such probability existed. It ought to be borne in mind that this value attaching to a licence is only of recent growth. It has practically been called into existence by the success of the temperance movement. Twenty or 30 years ago there was no value whatsoever in a licence, for any respectable person could obtain a licence just as a game-seller's licence is now obtainable; and it is only when the Temperance Party turned public attention to the possibility of reducing intemperance by restricting the number of public houses, and when Parliament adopted that view and passed the legislation which commenced in 1870, that the value of licensed property became specially valuable. Since then the Licensing Authorities have shown great disinclination to grant new licences, and those already granted have thus gained an artificial value. Under these circumstances, it seems to me most monstrous that compensation should be given for what has thus been called into existence by the exertions of the Temperance

Party. At the time the value of the licences was increased there ought to have been a commensurate increase in the amount of duty imposed, so that the benefit of the monopoly should accrue not to the licence holders, but to the public at large. There is one other point. I see Clause 9 of the Bill enacts that in estimating the value of an interest in any licensed premises, no account is to be taken of increased value "due to the operation of this Act." How is it possible to work this Bill with that clause? The increased value will appertain to the licence in spite of any legislation. If you buy one public house, of necessity you increase the value of the neighbouring public house. Under the circumstances, this Bill will be totally inoperative to enable the County Council to buy the second licence, for the reason that it is permissive and not compulsory. Therefore, the owner of the second licence would never sell unless he got the increased value.

**\*MR. RITCHIE:** This is a saving clause, which has been put into the Bill with reference to any legislation which Parliament might give assent to of a compulsory character. Suppose Parliament were to change the Licensing Authority, and were to give complete power to refuse a renewal and to propose compensation, then this clause would, in the event of purchase under any Act of that kind, prevent the increased value to which the hon. Member refers from being taken into account.

**\*MR. J. B. ROBERTS:** How can you gauge the respective values due to legislation and to previous purchase by the County Council. It appears to me to be utterly impossible. We know that where a public body is dealing with public money, not coming directly out of the pockets of the ratepayers, as a rule it is most generous in giving compensation. Under the Lands Clauses Consolidation Act 10 per cent is paid for compulsory purchase.

**THE SOLICITOR GENERAL (Sir E. CLARKE, Plymouth):** That is not so.

**\*MR. J. B. ROBERTS:** The Act does not say so, but we all know that the theory of valuers is that 10 per cent. should be paid, but that the practice is to



give more than 10 per cent. That will be the case here, and we may be sure that compensation will be paid utterly irrespective of Clause 9.

\*(9.35.) MR. T. W. RUSSELL (Ty-rone S.): Mr. Speaker, I say frankly, in the few words I have to address to the House, that I wish the Government had left this question alone; but since we are face to face with the Bill I want to point this out first of all. The discussion has proceeded so far on the assumption that the law with regard to licences is the same in the three kingdoms. It is not. In Ireland every publican has a freehold in his licence. That was decided in 1877. The Recorder of Dublin considered that he had the same right to refuse to transfer a licence as to grant it, and in the Clitheroe case he did refuse to transfer the licence, on the ground that the house was not required. The case was brought before the Queen's Bench in Dublin, and that Court held that when a man had received a licence in Ireland it could only be taken away on two distinct grounds—either on the ground of the bad character of the holder of the licence, or on the ground that the house had been badly conducted. The discussion, therefore, ought not to proceed on the assumption that the law is necessarily the same in all parts of the United Kingdom. The Bill proposes that a certain sum shall be set aside to purchase public houses. That is held to involve the question of compensation. What is the law now, if any Corporation or public company desire to clear an area for public improvements? I will take one example. Twenty years ago the South City Markets Company in Dublin proposed to erect markets, and they had to purchase a great area in the centre of the city, one of those festering spots which are a disgrace to great cities. They had to purchase the property upon that area, including 15 public houses, and they had to pay for those houses out of the funds of the company. They have been embarrassed ever since. In several cases where they did not accept arbitration the cases went to a jury, and the jury, guided by Lord Justice Barry, decided that the payment of compensation was strictly according to law. The company found that if they were to take the public houses they must pay the value of

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them. If a Corporation purchases the funds will come out of the rates. What this Bill proposes to do is to supply the funds whereby the work of purchase can be done, that fund coming from the consumption of alcoholic liquor. My hon. Friend the Member for Barrow and myself have stood on the same platform in this matter for 30 years. But I am going to vote against my hon. Friend to-night. I will tell the right hon. Member for Derby why. Because I have not the slightest confidence in the right hon. Gentleman. The right hon. Gentleman presided at the annual meeting of the United Kingdom Alliance last October, but he presided at publicans' banquets before, and he was quite as happy at the one as the other.

SIR W. HARCOURT: I never did.

\*MR. T. W. RUSSELL: The right hon. Gentleman did at Oxford. I remember the right hon. Gentleman sneering at temperance legislation as grandmotherly legislation. If my hon. Friend the Member for Barrow is prepared to wait for the right hon. Gentleman I am not; for if the right hon. Gentleman were on the benches opposite next year he would eat every word he has said on this question, as he has done on political questions. I heard the speech of my hon. Friend the Member for Barrow to-night. My objection to it is that I heard speeches like it 20 years ago against Mr. Bruce's proposals. I was in the Lobby then, and I heard such speeches when the Bill was before the House. I heard such speeches at excited public meetings against Mr. Bruce's proposals, and there is not a man who made those speeches who would not to-night be delighted if he could get Mr. Bruce's proposals. I have a letter from one of seven brothers, warm supporters of temperance legislation, in which the writer says that there is no public act of his life which he has ever regretted so much as his opposition to Mr. Bruce's Bill; that its opponents did inestimable injury to the cause of temperance; that they were warned, but that they were deaf to everything but Sir Wilfrid Lawson's jokes. Mr. Bruce's proposals were scornfully rejected by the friends of temperance, and they have been in the wilderness ever since. The

persons to blame for the rejection of Mr. Bruce's Bill were not the publicans—though they were insane against it—but the temperance leaders, who calmly folded their arms, and because the Bill did not contain all they wanted, would have none of it. I am not going to make any such mistake now. The Temperance Party have been fighting for 50 years, they have done much through moral suasion, they have won over many, and they have passed three Sunday Closing Acts. That is all that they have done. The evil is a gigantic one. It covers the whole land. It is time for this House to face it. After 35 years of hard fighting, I have made up my mind that the work can never be done without recognising the equitable claims of publicans—I do not say legal claims—and I will be no party to standing any longer in the way, fighting for what we shall never get. Let no one tell me of what right hon. Gentlemen on the Front Opposition Bench will do. The right hon. Member for Mid Lothian is committed as deeply as anyone to the principle of compensation. I do not say that the right hon. Member for Derby is committed to anything. Having been fighting in this cause for many years, I cannot find it in my conscience to stand up against the proposals of the Bill.

\*(9.45.) SIR G. TREVELYAN (Glasgow, Bridgeton): I was anxious to rise after the hon. Gentleman who has just spoken, for, like the hon. Gentleman and the hon. Member for Barrow, I am one of the oldest supporters of the temperance movement in this House; and I may add that among the official Members on the Front Benches on either side of the House I have been the longest and the most consistent supporter of what are generally called the extreme views of the Temperance Party. I think the hon. Member for South Tyrone has been deceived by a false analogy. I will not enter into a discussion as to who were to blame for the rejection of the Bill of Lord Aberdare; but I am inclined to think that the hon. Member for South Tyrone has given an account of the defeat of that measure which was not dictated by prejudice. There is, doubtless, a good deal in what he has said; but I would rather put aside the

question whether Lord Aberdare's Bill was defeated by the unseen opposition of the publicans or the ill-judged opposition of the extreme Temperance Party. [A VOICE: "Apathy."] Well, apathy; still it was defeated, and we have a right to draw from it a lesson. But I utterly deny that the lesson which the hon. Member drew from the defeat of Lord Aberdare's Bill was the right one. Does the hon. Gentleman think that the Bill of the present Government can be named on the same day as the Bill of Lord Aberdare, either for what it does for good or for what it does for evil. For my part, I think, and I will undertake to show before I sit down, that the Bill of the Government does little or nothing in the right direction, whereas it does a very great deal to kill the hopes of the Temperance Party. The hon. Member for South Tyrone cannot bring upon himself to wait; he has forced the battle till he was on the eve of being triumphant; a few more years and one more General Election, such as we on this side hope we may have, returning a majority of men who wish to carry out the views of the great body of the citizens, and what the Temperance Party has been labouring for so long will be carried. The hon. Member has talked with great knowledge of the change that has come over the world on this subject; he has shown how the views of the Temperance Party had been brought to bear so strongly upon the Magistrates that licensing, which at one time was a mere method of choosing a respectable occupant of a public house, has changed to a method of choosing what shall be the number of public houses, and that it is only a step from that point to bring public opinion to bear on the legislation of this House, so that in a few years the battle in which the hon. Member for South Tyrone has been engaged would have been won. But I say that our efforts for victory will be neutralised by this Bill. The right hon. Gentleman the President of the Local Government Board quoted a good many passages from newspapers. I will quote one passage from a newspaper—a passage of great importance, because it is from a newspaper singularly qualified to deal with the two main questions before us—first, as to whether this Bill involved

the doctrine of compensation for public houses; and, secondly, as to whether the fund for this purpose is to come from the publicans themselves. I will read a few lines from the *Economist*, a financial paper supporting Her Majesty's Government—

"It is idle to contend that the Government proposals do not recognise the publicans' claim to compensation because they merely authorise County Councils to come to terms with any publicans they may wish to sell out. The fact that the taxpayers are called on to contribute to a fund which must be used to buy out the publicans, or not used at all, does unquestionably put the question of compensation on a different footing from that on which it stands at present, and if the question is dealt with at all, it should be dealt with thoroughly. That, however, is clearly impossible this Session, and the time that must be lost in forcing through an imperfect measure can be much better employed."

On this question of compensation to the publicans as having to be found out of the ordinary taxes, I consider the dictum of the *Economist* to be absolutely authoritative. To pay the publicans compensation out of the Spirit Duties is precisely the same with regard to the taxpayer and the consumer as if they were paid out of the Tea Duty now or out of the Corn Duty in old days, and if the *Economist* were to hold any other view it would lose half its subscribers in a week. The money is not only not paid out of the publicans' means, but will go directly into their pockets. The other day a man of business in the North of England, one of the ablest valuers and agents in that part of the country, told me that he was agent for two public houses in a well-known North Country town. A new station was being built in that town, and several public houses had been bought up in order to make space for the works of the station. The rental of those two public houses had been £300 a year. As soon as the other public houses had been bought up, jobbing men connected with the liquor traffic came to him and at once offered double the rent for the two houses. As the leases were about to be renewed he went to the existing tenants, and told them he could get double the rent for the two houses, and the tenants at once took on the houses at £600 a year. The reason was that other public houses had been extinguished in the neighbourhood; and there is not the slightest doubt that if the partial extinction

of public houses proposed by the Government succeeds, they would not diminish drinking in the very least, but would simply increase the gains of the other public houses in the neighbourhood. No, it is out of the taxes that the publicans are compensated, and that is the principle which is consecrated in the Bill. By the 5th clause the sum to be applied for the extinction of licences in England is to be apportioned among the counties in proportion to the amount which the Commissioners of Inland Revenue certify to have been received by them in the last receiving financial year on account of licences granted by them in those counties. The gross amount of those licences is about £1,400,000 a year, and the amount of money to be apportioned in England and Wales yearly under this clause is £350,000, and therefore it is easy to find out, by simply taking one quarter of the licences in each county, how much of this compensation would go to each county. Taking it by that calculation, the County of Huntingdon would receive £1,200 a year, and the County of Huntingdon has 400 licensed houses—that is to say, the county would have power to compensate at the rate of £3 per licensed house. Hertfordshire would receive £2,300; there are 1,300 houses in that county, so that it would be £2 a house. Cambridgeshire would receive £2,700 a year; there are 1,200 houses in Cambridgeshire, so that the county would pay a little over £2 a house to carry out the compensation scheme. But the licensed victuallers calculate the average houses in the country at £2,000 apiece; therefore the whole annual *quota* of an ordinary rural English county would be swallowed up in compensating one single house. I know what is said on the other side, and what I suppose is working in the mind of the hon. Member for South Tyrone. Hon. Members opposite say, "Oh, yes, that is all very well; but we are not dealing with the great and rich public houses. There are large numbers of poor roadside public houses which can be bought up cheap—a good many of them very cheap." Yes; but are they the worst public houses? that is where we join issue. In the opinion of most of us, and of the great majority of the class who suffer from the liquor traffic,

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they are had in proportion, as they sell a larger amount of liquor. There is an increasing number of people in this country who hold that retail trade in liquor over the bar is an evil in itself which ought to be abolished in the interests of the community. The only class who really and truly drink liquor retail is the working class, and the real secret of this question is that the working man cannot afford to drink spirits and beer. The Government last year issued a very interesting Report showing the expenditure of the working man householder; and it appeared from that that even the better sort of artisans, after defraying the ordinary household expenses, have hardly any margin left for expenditure on drink. A working man who is in the habit of drinking cannot have his glass of beer and have done with it. He can hardly spend less than 4s. or 5s. a week on drink, and where that is to come from out of his little budget it is difficult to imagine. It is a mistake to suppose that the worst drinking takes place in the little public houses. For example, in Bedfordshire, where there is a great number of small public houses, only one person is arrested for drunkenness out of 600, while in London, where the public houses are large and very valuable, the proportion is one in 300. If hon. Members go into the statistics they will find that at the outside 200 public houses will be extinguished every year under the provisions of this Bill. That means that it will take us 200 years to get rid of one-half of the public houses which exist at present. In point of fact, the result would be that we should extinguish even fewer public houses than we do now. My objection to the introduction of this principle of compensation is that it is perfectly new in this country, for at the present moment we do abolish public houses without any compensation. Under the Beerhouses Act 300 beer houses were abolished in Liverpool, and when its provisions were extended to Ireland no fewer than 500 beer houses were extinguished in Dublin without compensation.

An hon. MEMBER: Beerhouses?

\*SIR G. TREVELYAN: Yes; but the keepers of beer houses are human

beings, just as much as the keepers of public houses. This process I am referring to is what has been always going on in the country at large to a certain extent. A Government Return, referring only to a period of five years, shows that in Cheshire six public houses were extinguished by the Magistrates because the licences were not required. This process is going on slowly indeed, but not much more slowly than the process of extinction by compensation would go on under the Bill; and this is a process which would be infallibly checked if the County Councils were prohibited from extinguishing a public house unless they could buy up the consent of the owner. The hon. Member for North Kensington (Sir R. Lethbridge) quoted a passage from a speech of the right hon. Member for Newcastle (Mr. J. Morley), who was said to have expressed an opinion in 1880 as to the necessity for compensating publicans. The right hon. Member for Newcastle—said the hon. Member—said he was aware that a great deal of intemperate language had been used by the Temperance Party.

SIR R. LETHBRIDGE: I said some sections of the Temperance Party.

\*SIR G. TREVELYAN: Well, some sections of the Temperance Party; but the hon. Member did not think that was a reason why the Member for Newcastle should have altered his view. A great deal, however, had happened since then, apart from the intemperate language referred to. The gravest Judges from the Bench in the most temperate language have stated that which is new to the general public, that the publican has no legal tenure at all. Mr. Justice Field, in the Court of Queen's Bench, stated that the Legislature recognised no vested interests at all in any holder of a licence. But whatever may be the opinion of the right hon. Gentleman the Member for Newcastle, the opinion of those more immediately concerned—the licensed victuallers and their advocates—is that the decisions which have been given have been of the most killing nature, because the counsel for the Licensed Victuallers' Association stated in the *Morning Advertiser* that a more unfortunate result of the Darwin case was that it promulgated and divulged what

had hitherto been more or less a professional secret, namely, that, subject to appeal, the Licensing Magistrates could refuse to renew a licence to any and every holder of an on licence. Until this, he said, it was always popularly supposed that the holder of an on licence held a vested interest. But now it cannot be doubted that in the strictest sense no such thing as a vested interest exists, and that, subject to appeal, the Justices can refuse to renew licences of the largest, most useful, and best conducted businesses.

SIR E. CLARKE: Who said so?

\*SIR G. TREVELYAN: I am quoting Mr. Thomas Nash, Counsel to the Licensed Victuallers' Association. In Canada and the colonies, and in America, the principle of compensation is absolutely unknown. By one operation of the Ontario Government the licences were reduced from 4,400 to less than 3,000. Not one penny was given in compensation, and no one even dreamed of presenting a claim for compensation. In America some States have laws of total prohibition, while others have ordinances of local option, under which districts do away with public houses. Moreover, there is a wholesale way by which the number is diminished to an extraordinary extent, namely, by the system of high licences. There are States in which an ordinary licence costs £100 or £130, and by this process the number of public houses is sometimes diminished in a State by one-half. And under no circumstances is compensation granted. That which has been universally reprobated by all the world besides ourselves, and by ourselves as well up to this time, probably deserves reprobation. The principle is grossly unjust, for what is the claim? A district grows, say, in consequence of some commercial works. A man takes a corner house and spends £2,000 or £3,000, and he then seeks a licence which he gets by the favour—the merest favour—and immediately he can sell that house for £4,000 more than it is worth the day before. This is practically a gift to him of £4,000 by the nation, and does anybody say that the nation is bound to throw away another £4,000 to revoke such a gift as that? There is another process which is still more significant. There are three

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houses built worth £50 a year apiece, and the man owning the middle one gets a licence. Instantly his rent rises to £300 a year, whilst the rental of the other two houses falls to £20 or £30 year; and yet, under the principle of compensation, the man who is in the middle, who has done no public service whatever, but who has got a gift from the nation, is to be compensated out of the pockets of the two men whose rent go down in proportion as his own rent goes up. But there is another serious reason against compensation which I should like to know how the temperance reformer who is going to vote for this Bill will meet. The men of whom I have spoken are those who have the confidence of the Justices; but now we are going to compensate a lot of people who have not that confidence. There is no abuse in our present system so great as the shameful manner in which Quarter Sessions are allowed to over-ride the real opinion of the Justices. I will give one or two instances which occurred in London. A licence was taken away for complaint against the manager—renewed at Quarter Sessions, on appeal. Licence taken away by Local Justices for knowingly permitting women of bad character to remain on the premises longer than was necessary—granted on appeal to Quarter Sessions.

SIR E. CLARKE: What Return is that?

\*SIR GEORGE TREVELYAN: A Return issued by the Home Office 2nd May, 1889. The case in Norwich, conviction on complaint of permitting drunkenness, licence taken away, renewed on appeal before Quarter Sessions. Take a case in the County of Glamorgan—a county which unfortunately had got into a bad condition. Two ale-house licences were refused because they were not wanted; in another case the licences of seven ale-houses were refused for convictions; reason; in another case four beer-house licences were refused, and four other licences. This was wholesale refusal, and was owing, I presume, to this being the first attempt of the Local Magistrates to purify the district. Well, appeals were made to the Quarter Sessions, and in each case the appeal was successful. At Newcastle-on-Tyne one licensed victualler,

on account of selling liquor during prohibited hours, and two others for similar offences, were refused licences. The licences were taken away from all three by Newcastle Justices, and were given back to them by the Quarter Sessions. It should be remembered that a great many more licences would be taken away if the Magistrates were not certain that the Quarter Sessions would restore them, looking at the interests of the individual rather than at the interests of the public. I venture to say that these would be the very first cases in which the Bill of the Government would be employed. These fellows, who had been adjudged by the Magistrates not to be fit men, would be bargained with and would get whatever compensation they could induce the County Council to give in order to get rid of them. We all hear a great deal about the poor publican, and no doubt we should all be sorry for the actual holder of a public house who was suddenly deprived of his business. He, however, would not necessarily reap benefit under this Bill, which authorises the County Councils to seek out those who may have any interest in the premises in order that they may be compensated. The County Councils are to inquire very minutely into all interests affected—those of the spirit merchant, of the brewer, and of the shareholders in such companies as those of Guinness and Allsopp. In connection with this point the Church of England Temperance Committee has been most properly shown up by the hon. Member for Barrow (Mr. Caine). The Committee ought to have represented the moderate men who are anxious to extinguish public houses without doing injustice to holders, but that is not the character which they assumed. The real essence of what passed between the Committee and the right hon. Gentleman is well described by a London daily paper that, at the very least, is neutral—the *Daily Chronicle*. The *Daily Chronicle* says—

“Nothing has come from the action of the Church of England Temperance Society but its utter failure to get the only demand of any real value that was made to Mr. Ritchie, namely, their demand that compensation must be definitely limited to the actual licence-holder, and not given directly or indirectly to any interests that are behind him; and also

that in any case it must not exceed 10 years' profits of the business.”

I must say that the right hon. Gentleman bought the Church of England Temperance Society uncommonly cheap—a great deal cheaper than we shall buy the publicans. I should regret very much the acceptance of the principle contained in the clauses under consideration, because I believe that public opinion is moving very fast in the right direction, and the acceptance of the principle of compensation would check that movement. Landowners, in a considerable number of cases, have done what the people themselves ought to be allowed to do. They have extinguished the public houses on their properties, and not only have they not received, but they will not take compensation. It is difficult to conceive how men who were well off could ask for compensation. Having made an extra rent for many years out of his poorer neighbours, a man who, after that, asked for compensation was asking for the dirtiest money that could touch anyone's hands. By this Bill, however, you will kill the right feeling which largely prevails among owners. The principle will be established that a man is to be paid when he gives up a public house, and owners will learn from the teaching of legislation that they can exact the uttermost farthing. By passing this Bill they will fasten on the shoulders of the country the burden of the liquor interest tighter than it had ever been fastened before. We shall incur a liability of £250,000,000 at least, if the hopes of the Temperance Party are ever to be gratified, and we are to get rid wholly or in great part of the retail system. The licensed victuallers themselves put the sum at £400,000,000. So far from the Bill introducing Local Option, as the right hon. Gentleman contends, it absolutely kills all hopes of Local Option. Any compensation ought to come out of the monopoly itself. This is a monopoly infinitely greater than any Monarch ever granted to favourite or Minister. I never will subscribe to the opinion that a nation that wants to get rid of this monopoly ought to buy it up. It has a right to take it away; and if we do not, in an evil moment, sacrifice that right, the nation will, sooner or later—and I think pretty soon—assume it itself.

\*(10.31.) **SIR E. CLARKE:** The right hon. Gentleman has dealt with many interesting subjects, and I should have been very glad to debate them with him if this had been a debating society discussing the licensing laws generally and the habits of the people. If, as the right hon. Baronet says, the working men have not money to spend in drink, it is difficult to understand how the large consumption of intoxicating liquors is maintained.

**SIR G. TREVELYAN:** I said they drank at the expense of their families.

\***SIR E. CLARKE:** I believe that argument is a great injustice to the working classes. This controversy has been going on for half a century, yet Parliament is in the same position with regard to the licensing question that it was in the year 1871, and the House has heard to-night from the leader of the Temperance Party in this Debate that he is prepared to adopt now the suggestion that was made 20 years ago, and to accept the principle of compensation, and give to the occupiers of licensed houses 10 years' occupancy, in order to provide for their extinction at the end of 10 years. Therefore, we are really in the same position as we were 20 years ago. We are not in the same position so far as the people are concerned. Last year there was a great increase in the consumption of liquors; but still, during the last 20 years, there has been a vast improvement in the habits, sobriety, and thrift of the working classes. If more liquor is drunk it is because there are larger means for consuming it in moderation, and no one can see gatherings of large masses of the people, such as the magnificent parade on Saturday afternoon in Hyde Park, where I spent some hours and did not see a single person intoxicated, without being convinced of the improvement in temperance, as well as in other respects, among the people. The right hon. Gentleman has adverted to the difficulty of administering the licensing laws, and to the over-ruling of decisions at Petty Sessions by the Magistrates at Quarter Sessions. That is absolutely irrelevant to the question now before the House. The Bill leaves Petty Sessions and Quarter Sessions with precisely the same powers as they now possess. What the Bill proposes is to

add to the powers which Local Bodies at present possess for buying up licensed houses for the carrying out of public improvements, and doing that by direct negotiation with the parties concerned. That is the beginning and end of the proposal of the Government. It is remarkable to see how this proposal has been met. The hon. Member for Barrow (Mr. Caine) does not, in his Amendment, challenge the principle of compensation, or object to the payment of public money for the extinction of licences. He merely objects to extinguishing licences "in the manner proposed by the said Bill." It is, therefore, simply a Motion for postponing the Second Reading for six months. If, however, any Member would like to pay public money for the extinction of licences, and the details of this Bill are not satisfactory to him, the hon. Member hopes he will support the Amendment. The Amendment practically finds fault only with the details of the Bill. The hon. Member for Barrow in his speech objected only to the clauses of the Bill which refer to the distribution of money for the extinction of public houses, and expressed anxiety to accept other parts of it, but he has framed an Amendment which, if carried, will be absolutely fatal to the Bill and to every proposal it contains. ["No."] If the Amendment were carried the result would be the absolute defeat of the Bill and all its proposals.

\***MR. PROVAND** (Glasgow, Blackfriars): The Bill might be re-introduced next day without the objectionable clauses.

\***SIR E. CLARKE:** The Government do not propose to submit to a humiliation of that sort. The Government do not in the least regret that the Amendment has been proposed at this stage because we would not have assented to the excision of the clauses in Committee. As to the position of the Church of England Temperance Society, I do not desire to insist too exclusively upon the attitude of any one society, but I know that in many parts of the country there are a very great many temperance advocates, having no connection with the Church of England Temperance Society, who, recognising the evils the Bill will deal with, are in favour of it. [*Cries of "Name."*] They are almost numberless.

If hon. Gentlemen will look at the local papers they will see letter after letter dealing with this matter in the way I am dealing with it. It has been suggested that my right hon. Friend has not dealt quite fairly with the attitude of the Church of England Temperance Society, and that the society advocated certain conditions as to compensation, which are not contained in this Bill. Whatever may be the opinion of the House as to the weight to be attached to the judgment of the society, it is well that the attitude of the society should be understood and fairly judged. In the letter sent to us by the chairman of the society suggestions are made providing against anything in that Bill affecting or in advance determining the principles upon which compensation should be based, and the suggestions thus made, and which, in their belief, will secure the country from any prejudgment of the question of compensation, are suggestions which my right hon. Friend has accepted and proposes to add to his Bill. Therefore, so far as this Bill is concerned, the whole suggestions of the Church of England Temperance Society have been accepted by my right hon. Friend. But I confess I am less concerned this evening to discuss the position of the Church of England Temperance Society than to consider the position which is taken up by the hon. Member for Barrow. The hon. Member for Barrow has taken up a position—not now for the first time, I am bound to say, for two years ago he took exactly the same line in discussion in this House—which seems to me absolutely inconsistent with his dismissal of compensation as being applicable to this case. It is impossible to exclude the question of compensation from the discussion on this Bill. The Bill does not deal with compensation in any way whatever, and if upon the Bill, as it now stands, there are apprehensions that it deals with, and prejudices the question of compensation, upon the Bill as it must stand, with the Amendments which my right hon. Friend has accepted, there is no room whatever for any fear that it refers to the question of compensation. But my right hon. Friend who introduced the Bill said, quite frankly and fairly, that, as

far as the Government are concerned, the question of compensation will have to be faced in any measure which provides for the compulsory extinction of licences; and as to the principle upon which that compensation must be based, of course different opinions must exist in this House. Compensation might be of different kinds. It might be given in a sum of money to the man who was engaged in the trade, and whose interest in the premises and the licence would be put an end to; or by providing that the licence should have a certain and definite time to exist, at the end of which it might be altogether cancelled without any money payment being made. Those are two modes of dealing with the question, but to give to the licensed victualler of to-day an unchallengeable right to carry on his business for 10 years would be giving him compensation, though in another form. The hon. Member for Barrow is perfectly consistent in this matter. When he was discussing the question in 1888 he put in terms his proposal. He said to-night—

“Let me look at the effect of the compensation clauses in the Bill of 17 years ago. They proposed that every publican's licence, of whatever description, should be continued annually, subject, of course, to good behaviour, until the general Licensing Sessions, held after the expiration of 10 years from the commencement of the Act, and should absolutely determine at the end of such Session.”

That was the proposal of 17 years ago, which, though then rejected, was spoken of with regretful affection by the hon. Member for Barrow in 1888, and as recalled by him now in very remarkable terms. The hon. Member said to-night—

“I do not ask the House to commit itself against any more modified form of compensation.”

And then he went on to ask whether the Government would give to the licensed victuallers this 10 years' certainty of enjoyment of their licences, and he said—which for my own part I am bound to say struck me as being remarkable, considering the hon. Member's position—

“That he and his Friends here would not prevent such a Bill coming upon the Statute Book.”

MR. CAINE: I said “could not prevent.”

\*SIR E. CLARKE: I accept promptly the correction. If I should happen to be



right and he not, he will easily realise the fact, for his observations, if not in print, are certainly in manuscript. But I accept the correction. The hon. Member says he could not prevent it. I suppose that meant that he would not try, otherwise there was no meaning in the statement. If the hon. Member says that he would not try to prevent that Bill from coming upon the Statute Book I venture to submit to him—and I am sure he will accept the way in which I am putting it—that he and I are together on the principle of compensation. The hon. Member would compensate by giving a period, or allowing others to give a clear, unchallengeable tenure of a licence for 10 years, while, for my own part, if it came to the question of compensation—which is not raised by this Bill—I venture to say that I could satisfy the hon. Member that the plan of giving a sum of money to the publican whose licence was taken away without fault of his own would be a better plan, and would produce less difficulty in its administration, and be more certain in its effect, than the plan of allowing the licence to go for 10 years.

MR. CAINE: I find that I have in manuscript the words to which reference has been made, and they are as follows:

"Will the Government accept that"—namely, the proposals of the Church of England Temperance Society—

"as a final settlement of the controversy? I do not offer it, but I can tell the Government that if they choose to bring in a Bill on the lines of the compensation proposals of the Church of England Temperance Society, neither I nor anyone else could prevent it coming on the Statute Book."

I only stated this as a word of friendly advice.

\*SIR E. CLARKE: I was disposed to accept it as a word of friendly advice. The hon. Member referred to the proposal as one which he would not resist and which he felt that he could not prevent. But the question of compensation is not here. If it were to be dealt with I think I could satisfy even my hon. Friend that to allow all the existing public houses to go on for 10 years, except where there is fault on the part of the publican, and then all at once to close them unless some further action took place, would be to invite such

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an agitation towards the end of the 10 years as would disturb all political and social relations, and my belief is—I am speaking now as an on-looker, one who is not interested at all in the financial matters of the publicans and brewers—my belief is that if the publicans or the owners of licensed houses were able to get, I would say, a 12 years' unchallengeable continuance of licences, except when forfeited by their own fault, it would be a thing they would wisely accept, and I think they would wisely accept it, for I believe at the end of the 12 years there would be no chance whatever of any large number of public houses being allowed to go out of occupation.

MR. CAINE: The hon. and learned Gentleman misapprehends the real proposal of the Church of England Temperance Society. They do not propose to continue the licence to a house for 10 years. They propose to continue it to a man for 10 years, of course, subject to conditions such as his dying or giving it up. They propose not to recognise any interest in the house, but to give the interest only to the individual.

SIR E. CLARKE: I do not want to enter into a controversy, but I am quite sure that that proposition could not be worked. I read the words of my hon. Friend in 1888. They were to the effect that every publican's licence of whatever description should be continued annually; and I think it is perfectly obvious to him that now, if a publican holds a licence, and by law, upon his death, his executors can have the licence transferred to someone else—[*Cries of "No"*—I beg pardon, that is the law now—it would be the grossest injustice to say that the accident of his death should put an end to and destroy altogether that which would otherwise be a valuable possession to leave to his family. But what I want to emphasise is this, that, accepting the hon. Member for Barrow as the spokesman of the assailants of this Bill, I and the hon. Member are together on the principle of compensation. [*Ironical Opposition laughter.*] Well, I think I have established my point. It is a great deal easier to laugh than to disprove it. But let me quote a few sentences from other persons in regard to it. I am not going to quote from the *Economist* or the *Daily*

*Chronicle*, or from an article in any daily paper. While I have the greatest respect for the daily Press of this country, I am speaking in the House of Commons, and the House of Commons is a greater place for the discussion of questions than the columns of daily newspapers. I will quote upon the question of compensation a few words of one who has not been in strong sympathy with the publicans. I do not require to go back to the discussion on vested interests. I certainly regretted to hear the right hon. Baronet opposite read an extract from what he has called the judgment of Mr. Justice Field in the *Darwen* case, in November, 1882. I regretted it for this reason, that the quotation has been scattered all over the country in hundreds and thousands of leaflets. It was read in this House in 1888, and in that year I said in this House what I may, perhaps, be allowed to read again. I said—

“The hon. Baronet”—I was speaking of the hon. Member for Cocker-mouth—

“Founded his proposition chiefly on a sentence which he quoted, and which I myself have seen quoted in a number of temperance publications, and he said that Mr. Justice Field in the Court of Queen’s Bench in the month of November, 1882, stated that the Legislature recognised no vested interest at all in any holder of a licence. . . . I have gone through five different Reports of the decision and the judgment in this case, and in no one of the Reports will the sentence the hon. Baronet quoted last night be found, and in the next place the decision was not a decision on this point at all, but on a different Act of Parliament.”

I was surprised, after the statement I made two years ago, to find this decision flourished in the House again to-night. I may, perhaps, now be forgiven for another word with regard to the case of “*Sharp v. Wakefield*.” It has been said over and over again in the country by hon. and right hon. Gentlemen, not very familiar with legal matters, including the right hon. Gentleman the Member for Derby, that the case of “*Sharp v. Wakefield*” has disproved the advice the Attorney General and I gave to the House. The fact is that before that case ever went to the Court of Queen’s Bench my right hon. Friend the Member for Bury, and Mr. R. S. Wright, had advised the persons who proposed to

appeal in that case not to do so, on the ground that it did not raise the question they desired to bring before the Court. But there was some society which insisted on carrying the case to appeal, although they were told by the best known lawyers of the day that it did not raise the question at all. That was not a case in which the only objection to the house was that it was a house not wanted. The house had been shut up for four months, and the man who applied for the licence had never been in occupation of the house. He was, therefore, obliged to go to the Justices and ask for a licence. The matter was then dealt with in the manner I have mentioned, and the point raised. I almost despair of making the right hon. Gentleman understand. The point is this. Under the Acts of 1872 and 1874, so well is the renewal of the licence recognised that no holder of a full licence in this country has to go before the Justices at all, unless he is sent for. If he is not sent for, the Justices must renew his licence as a matter of course. They have no power to withhold it as a matter of law. One night I remember the right hon. Gentleman tried to learn some licensing law at the feet of the hon. and learned Member for Dumfries, who brought a little handbook on the subject into the House, and the right hon. Gentleman will find that I am right in saying that if the holder of a licence is not sent for by the Justices, the Justices cannot take his licence away. Moreover, the Justices cannot send for him except for some cause personal to the licence holder. If the right hon. Gentleman will look at those two Acts of Parliament, and give an adequate time to their comprehension, he will probably see that I am right. The decision in the case of “*Sharp v. Wakefield*” has never disturbed that, and I say now, as I said two years ago, that it is not competent for the Justices to take away a man’s licence simply because they think there are too many houses, and without having anything personal against him. Lord Coleridge, who will be recognised as a fair authority on this matter, speaking at a meeting of the Church of England Temperance Society, on April 28th, 1888, when this controversy was in its acutest stage, said that

"Though these men (the publicans) might be looked upon as engaged in a mischievous trade, their trade had the sanction of the law, and had had for a long period of years, and had been dealt with as a legal trade. Although it was perfectly true that the Magistrates might refuse to renew a licence, everyone knew, as a matter of fact, that they never did so except for misconduct. In the case of a respectably connected house the Justices, as a matter of course, re-granted the licence, although it was perfectly true that in a Court of law there would be no redress for the best conducted publican in the world if they refused to do so. Everybody who dealt fairly with the matter would feel that a large interest had been allowed to grow up, and in his judgment it would be a very strong thing if such a man was to be dealt with on the strict, legal, technical view that he had no technical vested interest in the trade he had pursued."

Those are very important words of Lord Coleridge's, but there is one other person whose views have been quoted to-night, and, having regard to the confident expectation which the hon. Baronet opposite entertains of an early accession to power of those who will be inclined to deal with this matter in a stringent way, are of still greater importance. The right hon. Gentleman the Member for Mid Lothian made a speech at Dalkeith on March 19, 1880, in which he said that to the principle of Local Option he took no preliminary objection, but that he must consider many matters with regard to its application, and, among them, strict justice to an interest which, possibly, the exercise of Local Option might affect. The right hon. Gentleman further expressed his disapproval of a scheme which contained no recognition of a fair and equitable title, and allowed to those interested in the case no opportunity for stating their case for equitable compensation if a fundamentally new proposition were introduced into legislation which might bear injuriously on their interests. In the triumph, therefore, of which the right hon. Baronet spoke as coming speedily, he will have over him and before him the authority of the right hon. Member for Mid Lothian. I think that the hon. Member for South Tyrone was well advised in saying that after this long and unsuccessful toil those who have fixed their minds on one particular solution of this controversy would be wise, in presence of this concurrent statement from all those who have responsibility in this matter or are likely to have it, in seeing

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some measure of conciliation and compromise adopted. My right hon. Friend who opened the Debate pointed out that a great deal of misapprehension exists in the country with regard to the proposals of the Government. A great many persons, as shown by the resolutions sent to the House, are of opinion that the Government have during this Session revived the whole scheme of 1888 for dealing with this question. I think that the hon. Member for Barrow is one of those most directly responsible for that misapprehension. I hold in my hand a copy of a pamphlet which bears on the front page the words—

"No compensation to publicans; two letters addressed to the Public Press of the country by W. S. Caine, M.P.; the first showing compensation payable under the Government proposals in the country districts, and the second showing the compensation payable under the Government proposals within the Metropolitan area: second edition, 1890."

There is nothing whatever on the face of this pamphlet to show to the persons who read it the fact that the letters bear date May 10, 1888, so that the statements with regard to the value of those licences are those which the hon. Member prepared for the Government proposals in 1888.

MR. CAINE: It says so in the preface. Read the preface.

SIR E. CLARKE: There is a preface, but I cannot read aloud the whole preface. My point is that many persons in reading the pamphlet would be misled into believing that it was correct to say that the Government proposals of 1888 are repeated in the Bill of to-day. The hon. Member also said that the sum applied to the extinction of licences is so small as to have no real effect on the number of licences. He suggested that the average value of licences in London was £5,000; but, in order to get that average, the hon. Member must have included a large number of hotels and other places, which no one would think of shutting up. The hon. Member is mistaken in his calculation. A return has been issued by the County Council in regard to the steps taken in London to extinguish licences, and also with regard to artisans' dwellings. Under the powers conferred on the Metropolitan Board of Works and the London County Council, enabling them to carry out the

widening of streets and to undertake public improvements, or to erect artisans' dwellings, a great many public houses have been taken. I think that the hon. Member for Barrow will admit that this is a comparison which is strongly in his favour. When the County Council have to take houses in this way it cannot pick and choose, it must take all the houses. There is a difference which is most important in this case; the difference between compulsory purchase and purchase by voluntary bargain is a very considerable one. In compulsory purchase the amount, especially in public houses, of the mortgage on the property is quoted. It may not represent in all cases the real value, but it is very difficult to disturb it. There were about 128 public houses taken and extinguished in this way, and they cost altogether £144,000. In the Return of cases there were instances of property taken in Charing Cross Road, at Bethnal Green, in the West of London, and Ratcliff Highway, and there were a number of places in which the average value of the houses taken, compulsorily and not selected, whatever the situation, was under £800 per house. I confess that my belief is that the money, which can be assigned to the extinction of licensed houses under this Bill, will do a great deal of good. I was interested and amused to hear from the hon. Member for Barrow that there had been an increase in the value of public houses recently, owing to the clearing up of the law with regard to licences. Why, I had thought that that declaration of the law was supposed to have destroyed their value altogether. The hon. Member read a letter from a Mr. Fell, who, he said, was a magistrate of experience, in which that gentleman said that licences were only renewable from year to year on adequate grounds being shown for such renewal. The writer is entirely mistaken, because unless adequate grounds are shown for withholding the licence the renewal of a publican's licence is an automatic matter [*Cries of "No!"*]; that is the law, and it does not even require the presence of the publican at the Licensing Sessions to support his claim for its renewal. The suggestion with regard to a 10 years' licence would be, in a way, a sort

of compensation. But I wish to point out to the hon. Member for Barrow that he himself is not in entire harmony with his Party. The right hon. Gentleman for Derby has been consistent for a limited period, at all events, upon one point, namely, in advocating that the whole matter of licensing should be handed over to the Local Bodies. In October, 1888, the right hon. Gentleman addressed a meeting of the United Kingdom Alliance, whose object is to secure the total and immediate suppression of the liquor traffic, in what the hon. Baronet the Member for Cockermouth called an important, a magnificent, and an inspired speech. In that speech the right hon. Gentleman said that he desired that the Local Authorities should have complete control over the drink traffic. But that policy so enunciated by the right hon. Gentleman was immediately and absolutely repudiated by those who were gathered around him on the platform of the United Kingdom Alliance. The Secretary, I think it was, stated that they had given up the idea of local option, on the ground that they could not trust the Local Bodies, but preferred to intrust the matter to the direct vote of the community; by which all public houses might be shut up one year, probably to be reopened the next year by another general vote. The right hon. Gentleman the Member for Derby does not seem to have been very kindly treated by his friends on that occasion, and the hon. Baronet (Sir W. Lawson), although he praised the inspired speech, suggested that the right hon. Gentleman's own habits were capable of improvement, and declared that no man could understand the Alliance policy unless he was a teetotaler, and believed that drink was a poison, socially and politically, and prevented a man from seeing that it was a good thing to prevent another being such a big fool as to go on poisoning himself. I must apologise for referring to these observations, which sound discourteous, but I suppose after the "inspiration" they were soon forgotten. I put it to the hon. Member for Barrow that we have to deal with a practical question. The present Bill does not attempt to deal with the question in a large and heroic manner, but it proposes a sensible way of diminishing the number of licensed houses. To attempt to shut

up all the licensed houses on a particular day would be to endanger the peace of the country, and would lead to confusion and chaos. The present measure, however, seeks to help the people in their growing desire for the improvement of their own habits. The measure will not interfere one iota with the discretion of the magistrates, and will enable Local Bodies to extinguish licences by means of funds derived from the drink traffic itself. This proposal the Government has put before the House, with the sincere desire that something may be done in the direction of reducing the number of licensed houses. I regret that the Government proposals of two years ago were not accepted, because I believe that if they had been a great step in the direction of temperance would have been made by this time. The Temperance Party have now another opportunity offered them, and I trust they will not reject it. I hope that the discussion, which has now resolved itself not into bitter antagonism to the Bill, but of a discussion of various forms of compensation, may result in the House emphatically endorsing the policy the Government have submitted to it.

\*(11.30.) MR. HALDANE (Haddington): I am glad to note that there is a sensible alteration in the tone of the speeches from the Government Benches on this subject, as compared with the Debate two years ago, when there was much talk about the absolute rights of the owners of licensed houses. To-day we have heard much more about compromise; there is a great deal in the nature of conciliation, and there are growing signs that the Government have begun to find itself face to face with the real situation. We had a remarkable speech the other day from the noble Lord the Member for South Paddington, and now we have had a remarkable speech from the Solicitor General—a speech in which he put his case far more moderately than he did two years ago. Still, we have the question of compensation raised. The word “compensation,” although one for which there was some excuse two years ago, is not applicable now, since the Court of Appeal, in  
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“*Sharp v. Wakefield*,” has decided what the law is. I listened to the exposition of the Solicitor General with reference to that case with a good deal of amazement. What the Solicitor General put forward was not the statement of the Judges, but that of the unsuccessful counsel for the unsuccessful appellant. In the proceeding before the Court it was contended that there was some right to consider the renewal of licences as an automatic process. But Lord Justice Fry, in the most distinct manner, negatived the argument which the Solicitor General put forward as the statement of the law. The position of the publican is this. He may go before the Court, and the Court is entitled to say Aye or No to the question whether the licence is to be renewed or refused. Now I come to the grain of truth in the case put forward by the hon. and learned Gentleman. There is an absolute discretion in the Justices as to whether they will refuse the licence or not, but the discretion is of a judicial and not of an administrative nature. It is a discretion which is to be exercised on judicial principles, by a Judicial Body, acting, not upon any rules of law which bind them or render them subject to review, but according to certain rules of practice which are well understood. We have an illustration of that in the award of costs in law suits. This is a matter entirely in the discretion of Court. But those familiar with the Court procedure know that if a litigant succeeds he usually gets his costs, and if he fails he is ordered to pay his opponent's costs. So in the case of renewals, the Court is not bound to give a renewal, but in the natural course of things the publican anticipates there will be a renewal. The advocates of the extreme Temperance Party propose to take the duties, which are now performed by the Justices in a judicial capacity, and shift their performance to the County Councils, who will perform them in an administrative capacity. It seems to me that that would give the owner of the licensed house some title to complain. I do not mean the man who has been guilty of misconduct, but the man whose house is respectably conducted, and who has probably paid for the goodwill, and whose goodwill is taxed and subject to

Probate Duty. That man deserves consideration, not because he has any legal title, as has been suggested from the Government benches, but because he has no legal title at all. He is deserving of consideration because he is a man who has acquired his business under the existing practice, and if it is altered he should not be placed in a worse position. It is an abuse of language to call that compensation, because compensation must be for some right of which a person is deprived. The ground of my opposition to this Bill is the assumption which it has underlying it. It is one thing to say that men are worthy of consideration on account of their trade being dealt with in future in an administrative and not a judicial capacity; but that is not sufficient ground for an expenditure of public money. Payment of money raised from taxation can only be justified when the payment is made to people in respect of that to which they are legally entitled. I object to the proposition of the Government because it affirms the very reverse and negative of that. Underlying the Bill is the vicious assumption that there is a right of property which gives a title to legal compensation. And I have another objection. If we are going to assume the principle of legal compensation, and that the publican has something for which he is legally entitled to be paid, then the proposals of the Government are ludicrously inadequate. I am far from wishing to identify myself with the extreme section of the Temperance Party, but I cannot assent to the proposals of the Government. At the same time, I am prepared to approach this question with a due regard—not for vested interests, for there are none—but for the position of people who will suffer a moral hardship from the law regulating their trade being carried out in an administrative instead of a judicial capacity. That is quite a different thing to what is put before us to-night. I object altogether to the principle which underlies the proposal of the Government, and I, for one, shall vote against it.

Debate adjourned till To-morrow, at Two of the clock.

STATUTE LAW REVISION (RE-COMMITTED) BILL [LORDS]—(No. 251.)  
Considered in Committee.

(11.50.) THE SOLICITOR GENERAL (Sir E. CLARKE, Plymouth): I hope I may be allowed to make a short statement with regard to this Bill. It will be remembered by the Committee that last year a Statute Law Revision Bill came before the House, but was not then accepted, on the ground that it involved the repeal of certain Acts of Parliament, which hon. Members thought ought not to be dealt with without careful consideration. The Bill, was in fact, referred to a Select Committee, and that Committee, as the result of a large number of sittings, have now put before the House an amended Bill. They have drafted a Special Report, to which I venture to call the attention of the Committee. The Select Committee have pointed out in that Special Report that they felt it their duty to go carefully through the Bill submitted to them; that they have found it possible to amend it by leaving out certain formal language in the different clauses; and that they have found that the Preambles of several Statutes could well be dispensed with, as they threw no light on the Statutes and were of no historic importance. By this action the Committee have increased 12 or 15 fold the value of the Bill. The Committee further report that in the course of their examination of the Statutes they came across Statutes of little or no practical value which still remained unrepealed. This particularly applied to various Imperial Acts now operative in Scotland or Ireland only. [An hon. MEMBER: The Statute of Edward III.] These Statutes the Committee hold have no practical application to the present circumstances of either Scotland or Ireland, and it is obviously desirable that the Acts should be repealed, so that the law for the three countries should, as far as possible, be uniform. I can only say, in conclusion, that I hope the Bill will be accepted in its amended form. It has been most carefully considered. I beg to move to report Progress.

Motion made, and Question proposed,  
“That the Chairman do report Progress and ask leave to sit again.”

MR. BRYCE (Aberdeen, S.): As a Member of the Committee which presented the Report to which the learned Solicitor General has called attention I desire to confirm what he has said. The Committee were very much struck by the great care and attention which the Statute Law Revision Committee had devoted to the preparation of this Bill; they entirely deserved the confidence placed in them by the House. Following in their footsteps, we found that a great deal still remained to be done in the way of Statute Law Consolidation, and we hope that the Report we have presented will enable the Revision Committee to proceed more rapidly with its important labours.

Committee report Progress; to sit again upon Thursday.

**SUCK RIVER DRAINAGE (PROVISION OF FUNDS) BILL.—(No. 236.)**

Considered in Committee, and reported, without Amendment; to be read the third time To-morrow, at Two of the clock.

**SUPREME COURT OF JUDICATURE (PROCEDURE) BILL.—(No. 245.)**

**SECOND READING.**

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

(12.0.) DR. TANNER: I object.

MR. ASQUITH (Fife, East): I hope the hon. Member will withdraw his objection. There is great unanimity of opinion among Members of the Legal Profession on both sides of the House.

DR. TANNER: Having listened to the eloquent voice of the hon. Member, I withdraw my objection, though it is the hon. and learned Member (Mr. Finlay) who promotes the Bill.

MR. FINLAY (Inverness, &c.): I am obliged to the hon. Member for the courtesy he has shown in this matter.

DR. TANNER: Oh, no; you need not express obligation.

\*MR. SPEAKER: Order, order.

MR. FINLAY: The object of this Bill is to remedy the multiplicity of legal proceedings that take place in the Queen's Bench Division. The proposal is to supersede the necessity of one stage of these proceedings, namely, the Divisional Courts. There is, as my hon. and learned Friend has stated, very great agreement on the main objects of the Bill, though there may be some difference on matters of detail.

Question put, and agreed to.

Bill read a second time, and committed for Thursday, 5th June.

**ORCHARDS RATING EXEMPTION**

**BILL.—(No. 177.)**

Read a second time, and committed for Wednesday.

**REGISTRATION OF VOTERS (BOROUGH OF BELFAST) BILL.—(No. 153.)**

Considered in Committee.

(In the Committee.)

Clause 1 agreed to.

Clause 2.

The following Amendments, proposed by Mr. MACARTNEY, were agreed to:—

Page 2, line 1, after "the," leave out "several."

Page 2, line 5, after "the," insert "said."

MR. MACARTNEY moved: Page 2, line 5, leave out all the words after "borough," to end of Clause.

MR. SEXTON: There is an Amendment to the Preamble leaving out the words relating to the expenses of the Clerk of the Peace.

MR. MACARTNEY: I am informed that the words proposed to be left out are unnecessary.

MR. SEXTON: The Preamble recites that it is expedient to make further provision for the whole of the Courts; but if these words are struck out there is no provision for charging the account.

MR. MACARTNEY: If the hon. Member presses that the words should be left in, I do not care; but I am informed that they are really not necessary.

MR. SEXTON: If it should appear on Report that the words are unnecessary, we could then deal with the matter.

\*THE ATTORNEY GENERAL FOR IRELAND (MR. MADDEN, Dublin University): I shall consider the question between now and the Report stage.

Question, "That the words proposed to be left stand part of the Clause," put, and negatived.

Clause agreed to.

Clause 3.

Amendment proposed, in page 2, line 18, to leave out all the words after the word "expenses," to "and shall," in line 20.—(Mr. Johnston.)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. SEXTON: If this Amendment were agreed to, the clause would be worthless. The clause allows the Recorder of Belfast to pay to the Clerk of the Peace such sum as he may think reasonable as expenses in carrying out the Act. In recent years the work of registration has very much increased, for whereas there were formerly 21,000 voters and one Revising Barrister, there are now 32,000 voters and five Revising Barristers. The Clerk of the Peace expenses have, during the last three years, been £731, £665, and £633 respectively; and the Amendment, if passed, would have the effect of precluding his getting one penny.

MR. MACARTNEY: I cannot conceive that my hon. Friend will press the Amendment. Of course, if he does, it will stop the Bill, for the effect of his Amendment would be to give the Clerk of the Peace for Belfast a sum much less than the salary of £50 which he had before.

\*MR. JOHNSTON (Belfast): Will the Attorney General state whether that would be the effect of the proposition?

\*MR. MADDEN: Yes; a considerable proportion of expenses would be left outside the Bill.

\*MR. JOHNSTON: I ask leave to withdraw.

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Amendment, by leave, withdrawn.

Other Amendments made.

Amendment proposed, in page 2, line 20, after "and," leave out "shall also," and insert—

"The said expenses of the Clerk of the Peace, other than the costs of necessary printing, shall be calculated according to the scale for the time being in force under any order of the Lord Lieutenant in Council made pursuant to 'The County Officers and Councils (Ireland) Act, 1877,' and the said recorder shall sign and."  
—(Mr. Macartney.)

MR. SEXTON: The hon. Member's Amendment defeats his own object. The effect of it would be to give the Clerk of the Peace, taking 32,000 voters at 1½d. each, about £200 a year. I trust the hon. Member will see the propriety of withdrawing the Amendment.

(12.28.) MR. MACARTNEY: This provision only applies to the expenses of the Clerk of the Peace, and not to his remuneration. I am obliged to press the insertion of these words, to which I am authorised to say the Clerk of the Peace makes no objection. They only apply to the actual legal expenses, for which he is out of pocket.

MR. SEXTON: Is the learned Attorney General of opinion that the Recorder will make the Clerk of the Peace such remuneration as is apart from expenses?

\*MR. MADDEN: My opinion is that the Amendment merely applies to expenses.

Question, "That the words 'shall also' stand part of the Clause," put, and negatived.

Question, "That those words be there inserted," put, and agreed to.

Amendment proposed, in page 3, line 8, to leave out all the words after "clerk" to end of clause.

MR. SEXTON: By a clause of the Act of 1868 the County Down got rid of its expenses, and since 1867 the Clerk of the Peace has paid them out of his own pocket, and has never been repaid. This gentleman has been £318 out of pocket. If these words are struck out the Clerk of the Peace will lose his £300.



MR. MACARTNEY: I have endeavoured to reconcile the various interests; but it is a matter of difficulty, and, much as I sympathise with the hon. Member in what he has said, I am compelled to maintain the obligations I am under to various sections of this House. If this Bill passes, the Clerk of the Peace will be in a very much better position. I hope the hon. Member will not press his objection. I am obliged to omit the words.

MR. SEXTON: I am extremely sorry that the hon. Gentleman should, at the beginning of his political career, have given such an equivocal pledge, and that this Public Officer will not get his money back. However, I suppose I must yield, or the Bill, which on the whole improves the equity of the situation, would not pass at all. But I must express my regret that the hon. Member allowed himself to make any alliances whatever.

Question, "That the words proposed to be left out stand part of the Clause," put, and rejected.

Other Amendments made.

Bill reported with an amended title; as amended, to be considered upon Wednesday.

#### DEEDS OF ARRANGEMENT BILL. (No. 163.)

Considered in Committee, and reported; as amended, to be considered upon Thursday, and to be printed. [Bill 264.]

#### POSTPONEMENT OF MOTION.

#### IRISH SOCIETY AND LONDON COMPANIES (IRISH ESTATES)—SELECT COMMITTEE.

SIR N. R. FOWLER (London): I beg to ask the Government to postpone the following Motion:—

"That a Select Committee be appointed to enquire as to the terms of the Charters or other instruments by which their estates in Ireland

were granted to the Irish Society and to the London Companies, and as to the trusts and obligations (if any) attaching to the ownership of such estates, and as to the mode in which the sale of their estates has been effected, or can be effected, consistently with such trusts and obligations as may be shown to have existed, or now exist."

I desire to say a few words on the subject.

MR. AKERS DOUGLAS assented.

MR. SEXTON: The re-appointment of this Committee has been pending for a considerable time, and if the question is not dealt with at once, the postponement is likely to become indefinite and the work of the Committee inoperative. The subject is of considerable urgency in the North of Ireland, and I had hoped that arrangements would be made to appoint the Committee to-night.

MR. AKERS DOUGLAS: I have already succeeded in removing the objection of one hon. Member to the Committee, and I hope to be able to remove those of others, and to get the Committee appointed by Wednesday.

MR. SEXTON: I would ask the hon. Member to have the matter brought on before the Irish Members disperse for Whitsuntide.

MR. AKERS DOUGLAS: It does not rest with me to fix the day for the appointment of the Committee definitely. I will, however, do what I can to meet the wishes of the hon. Member.

#### MOTION.

#### ROADS AND STREETS IN POLICE BURGHES (SCOTLAND) BILL.

On Motion of Mr. Hugh Elliot, Bill to amend "The Roads and Bridges (Scotland) Act, 1878," in respect to the maintenance of Roads and Streets in Police Burghs, ordered to be brought in by Mr. Hugh Elliot, Mr. Shiress Will, Mr. Barclay, and Mr. Sinclair.

Bill presented, and read first time. [Bill 266.]

House adjourned at twenty minutes before One o'clock.

## HOUSE OF LORDS,

*Tuesday, 13th May, 1890.*

## INDUSTRIAL SCHOOLS BILL.—(No. 52.)

Reported from the Standing Committee for Bills relating to Law, &c., with amendments: The Report thereof received; and Bill re-committed to a Committee of the Whole House; and to be printed as amended. (No. 85.)

## MERCHANT SHIPPING ACTS

## AMENDMENT BILL.—(No. 57.)

Reported from the Standing Committee for General Bills, with amendments: The Report thereof received; Bill re-committed to a Committee of the Whole House on Monday next, and to be printed as amended. (No. 78\*.)

## OPEN SPACES BILL.—(No. 76.)

Amendment (on Re-commitment) reported (according to order); and Bill to be read 3<sup>a</sup> on Friday next.

## COMMISSIONERS FOR OATHS ACT (1889)

## AMENDMENT BILL.—(No. 63.)

Read 3<sup>a</sup> (according to order), and passed.

HISTORICAL MANUSCRIPTS  
COMMISSION.

EARL BEAUCHAMP: My Lords, in moving that there be laid before this House a complete list, with dates of issue, of the Reports of the Historical Manuscripts Commission, and of the Appendices thereto; together with an alphabetical index of the collections examined and reported on, giving a reference to the Report and Appendix wherein the result of the examination may be found, I am quite sensible of the audacity of the task I have taken upon myself in venturing to impugn the conduct of so august a body of persons as the Historical Manuscripts Commissioners; but I think that any of your Lordships and any of the public who have attempted to grapple with the publications of that body must have found an insuperable difficulty in the initial task of placing those publications upon their shelves in consecutive order. I suppose few Royal Commissions

have ever been appointed which have dealt with matters of so much interest, and no praise is too high to be bestowed upon those noblemen and gentlemen who own valuable historical manuscripts, including the noble Marquess the Secretary of State for Foreign Affairs, for the public spirit which has induced them to place their collections of valuable documents at the disposal of the Historical Manuscripts Commissioners. But I am compelled to say that a great deal of that useful and valuable work which the Commissioners have performed has been rendered, I will not say nugatory, but certainly very inaccessible to those who most desire to profit by it. Anyone who has attempted to discover or to understand the order and publication of the Reports, or their dates of issue, or to know which Reports and Appendices have been published, and what there is that has not been published, will have found himself entangled in a labyrinth, from which I am sure he has found it difficult, if not impossible, to extricate himself. Those manuscripts which have been dealt with by the Commissioners are of very great value indeed, and I regret that they have not thought fit to adopt the ordinary course which is followed by those have to deal with and superintend publications of this description, of providing a table of contents, which should be available to those who desire to study the volumes. I am not asking your Lordships for a direction that there shall be supplied a general index of the Reports and Appendices, for, of course, that would be a very large matter, and one into which I do not presume to enter now. All I ask is that we should have placed before us, in a clear and concise way, a list of the publications of the Commission, in order that we may know what has been published and what has not been published, and that we may be able to lay our hands upon such information as we may seek. An eminent authority of your Lordships' House once said that knowledge of the means for reference was really the knowledge itself, and I believe he was taken somewhat severely to task for that aphorism; but I must express my own opinion that he was perfectly right. A great deal of our knowledge must be potential, that is to say, you cannot carry the entire details of it in your

mind ; but, to be in the position to make use of it, you must be able to go to the place or lay your hand upon the book where the necessary information is to be obtained. When reference is possible our knowledge is very much increased and enlarged, or, at all events, made more available, which tends to the same result. My Lords, the Commission is composed of noblemen and gentlemen of the highest possible attainments, and I think it is to be regretted that they have not paid some attention to the work I have referred to, for it would, I am sure, have saved those who are engaged in antiquarian and historical researches great waste of time, and I have also not the least doubt that the public convenience will be facilitated if your Lordships will grant this Return. When once granted, I hope it will be appended to every publication that may come out, either upon the wrapper or otherwise. It is really very inconvenient not to be able to ascertain the order of these various publications. Within the last few weeks a great part of the *Cecil Manuscripts* have been published, but there is no indication as to what Report they are connected with. Whether it is one of the Appendices to the 11th or 12th Report, or whether it is an excrescence or a mere casual volume, there is not the least clue ; and though that alone is a trifling matter, I think your Lordships will agree that when you wish to arrange on your shelves works of so valuable a character, it is very inconvenient to be vexed and thwarted by mere neglect on the part of those who have to superintend such matters. It would be of great public convenience, I am sure, if this Return were granted.

\***EARL STANHOPE**: I should like to say a few words in reference to what has fallen from my noble relative. I have collected these volumes since the starting of the Commission, that is to say, I have now 12 volumes, and I have the greatest difficulty in finding out what are the dates of their publication, or in what order they proceed. It is difficult to know from the title page at the top of each volume what manuscripts are reported upon. Lately, also, the size of the volumes has been diminished ; from being, as formerly, folio volumes, they have now become octavo, and the collec-

*Earl Beauchamp*

tion, therefore, does not look uniform, or as important as it should from its nature and character. I quite endorse everything that has fallen from my noble relative in reference to the valuable character of these Reports, which, I have no doubt, many of your Lordships possess ; but I think their value would be much enhanced if such a Return as he has moved for were granted.

**THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS** (The Marquess of SALISBURY) : My Lords, I am a very humble member of the Commission to whose labours the noble Lords have referred, but by special desire of the Commission I, like most of the other Commissioners, never attend. The Commission prefers to work principally in the absence of most of its members, and it works, I imagine, much better in consequence of their non-attendance. But there is one active member who, I regret to see, is not present in the House, the Master of the Rolls ; and I think he is the only person who can give my noble Friend that information or those assurances which he demands. Of course, there is no objection to the Return being given ; but I do not imagine that even the Master of the Rolls could, without consultation with the proper authorities, give my noble Friend information as to the mode in which the publications could be amended. I quite sympathise with him as to the advantage of being able to find one's way among the volumes, for I have invariably lost it when I have made the attempt.

**EARL BEAUCHAMP** : Of course I do not wish in the least to interfere with the contents ; I only desire that there should be given on the wrappers, or elsewhere, some proper indication of the contents.

**THE MARQUESS OF SALISBURY** : I am told that it would be better if the terms of the notice were altered, and perhaps my noble Friend would not mind putting it off for a few days for that purpose.

**EARL BEAUCHAMP** : I must really object to that. I wrote to the Master of the Rolls on the subject, and I have had no communication from him. Unless I know what the objections are I do not understand why the matter should be postponed.

EARL CADOGAN : Perhaps I may be allowed to say that just before entering the House I met the Master of the Rolls. He told me he was exceedingly sorry that he was obliged to be away, and he gave me charge of a message for my noble Friend.

EARL BEAUCHAMP : I do not understand what the objections are, and I think there must be some misconception in the matter. I have heard some suggestion that the words which I propose are intended to cover the supply of a general index to the contents of the volumes, but nothing is further from my intention. All I ask for is a complete list, with dates and issue of the Reports of the Historical Manuscripts Commission, and of the Appendices thereto, together with an alphabetical index of the collections examined and reported on. Your Lordships know that in each volume several collections are reported upon, of which no trace is to be found, though sometimes on the title page there is given some reference by which, in the result, a particular collection reported on may be found. I am quite satisfied that no printer of any reputation would allow such work to issue from his establishment without some means of reference, such as I am asking for. I do not understand what the objections are, and without an explanation I cannot withdraw my Motion.

\*LORD DE RAMSEY : In answer to my noble Friend, perhaps I may state a little more fully what the Prime Minister has already said, that there is no objection whatever to grant this Return up to a certain extent. The noble Marquess is perfectly right in saying that the terms of the Notice would require to be altered, because what appears in the Motion is what the noble Earl, as I understand, does not ask for, that is a general index. If that is so, all I have to say, on behalf of the Home Office, is that there is no objection whatever to give the Return for which the noble Earl asks ; that is, a complete list with the dates of issue of the Reports, an alphabetical list of the collections examined, and an alphabetical list of the owners of such collections. That can easily be supplied, if that meets with the noble Earl's wishes.

EARL BEAUCHAMP : I do not ask for an alphabetical list of the owners of manuscripts ; I only ask for what is in the Notice.

\*LORD DE RAMSEY : That can be supplied at the same time. I think the line can be drawn at a general index, which would be extremely expensive and cause a great deal of trouble. There is no objection whatever, therefore, to grant the Return which the noble Earl asks for.

Address ordered.

#### COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Lord Chancellor, the Earl of Morley, the Lord Watson, the Lord Bramwell, the Lord Esher, the Lord Macnaghten, and the Lord Morris to the Standing Committee for General Bills for the consideration of the Companies (Memorandum of Association) Bill ; read, and ordered to lie on the Table.

House adjourned at five minutes before  
Six o'clock, to Friday next, a  
quarter past Ten o'clock.

### HOUSE OF COMMONS,

*Tuesday, 13th May, 1890.*

The House met at Two of the clock.

#### QUESTIONS.

##### INDIAN FACTORY LABOUR.

MR. JAMES MACLEAN (Oldham) : I beg to ask the Under Secretary of State for India whether he is aware that at a mass meeting of mill operatives, numbering upwards of 10,000 persons, which was held at Bombay on 24th April, a petition was adopted at the Millowners' Association to close the mills for four days in the month, and that two of the workpeople, both women, made speeches complaining of being pressed to come to work even on Sundays, and said that one day's rest out of the seven would be a great benefit both to the operatives and to the millowners ;

and whether any provision is made in the Indian Factory Act Amendment Bill for closing the factories on Sundays?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): It is stated in the Indian newspapers that such a meeting was held and such a petition adopted. The Bill now before the Indian Legislature provides four days' holiday a month for women and children.

MR. MACLEAN: Are the four holidays to be on Sundays?

SIR J. GORST: The Bill does not specify that they shall be on Sunday, but I believe there is very little doubt that Sunday will be the day selected.

#### PLEURO-PNEUMONIA—CATTLE FROM THE UNITED STATES.

MR. BARCLAY (Forfarshire): I beg to ask the President of the Board of Agriculture whether he has any recent Reports as to the health of the cattle from the United States slaughtered at the ports of debarkation; and if he will take measures to have in future a regular inspection of the carcasses of such animals, as providing some indication of the health of cattle in the United States?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): Since the beginning of the present year 41,000 animals have been landed at Deptford and 40,000 at Liverpool from the United States. During that period five cargoes were found containing animals affected with pleuro-pneumonia. Three of these cargoes were landed at Deptford on February 21, March 23, and March 25, and two at Liverpool on March 29. They were shipped at the ports of Baltimore, Boston, and New York. Having regard to these facts, it would appear to be unnecessary to undertake the trouble and expense of a *post-mortem* examination of each carcass in order to ascertain the existence of disease which is already known to exist. But the Board will always be careful that a sufficient inspection will be made at the ports to indicate the condition of the animals coming from America.

*Mr. James Maclean*

#### BULPHAN SCHOOL.

MAJOR RASCH (Essex, S.E.): I beg to ask the Vice President of the Committee of Council on Education whether, as the Education Department allows the £10 grant under Article 111 to Bulphan School without making a demand for a census of the population within any radius, he will also give this grant to other schools in similar circumstances, irrespective of a demand for a census within a two mile radius?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): Special inquiry was made as to the population before the £10 grant was allowed to Bulphan School, but the Department only asks for a census whenever there is reason to doubt whether the population is actually within the limit prescribed by the Code, and if my hon. Friend will refer to Section 19 of the Act of 1876, he will see that in such circumstances they are bound to take this precaution.

#### MARKET RIGHTS AND TOLLS COMMISSION.

MR. BRADLAUGH (Northampton): I beg to ask the President of the Local Government Board whether he is aware that the Royal Commission on Market Rights and Tolls closed the inquiry last year; and if he can state the cause of the delay in the presentation of the final Report?

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I am informed that the Royal Commission on Market Rights and Tolls have not yet completed their inquiry, as some further evidence has yet to be taken. The preparation of the Report is being proceeded with as rapidly as the voluminous nature of the evidence will permit, and the Commission hope to present their Report to Her Majesty in June.

#### NATIONAL SCHOOL CHILDREN.

MR. LABOUCHERE (Northampton): I beg to ask the Vice President of the Committee of Council on Education whether he is aware that two children, presenting themselves with pence in their hands with their mother at the

National (Church) School, Tiffeld (near Towcester), have been refused admission to the school, the mistress having stated that she was acting under the orders of the rector of the parish in declining to receive these children; and whether he will either cause these children to be received, or stop all grants in aid to this school?

**SIR W. HART DYKE:** The Department could not refuse to regard the exclusion of the children as reasonable, on its being represented that they were encouraged by their parents in resisting the teachers' authority, and had become unmanageable, but if there is no other school available, and the parents of the children are willing to submit them to proper disciplinary rules, the Department would not sustain the managers in declining to re-admit them.

#### LONG HOURS OF PRISON WARDERS.

**MR. JUSTIN MCCARTHY** (London-derry): I beg to ask the Secretary of State for the Home Department whether he has heard that complaints are made by the warders of the local prisons in England as to the long hours of attendance and work; whether in most prisons the hours of attendance are never less than from six in the morning to six in the afternoon, and every fourth day from six in the morning until ten at night, with each alternate Sunday counting for work as a week-day; and whether he will cause an inquiry to be made into the condition and the alleged grievances of the prison warders?

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT** (MR. MATTHEWS, Birmingham, E.): I am informed by the Prison Commissioners that no such complaints have reached them. Warders come on duty at 6 a.m. and leave at 6 p.m., but during that period they are allowed 40 minutes for breakfast and 70 minutes for dinner. They have duty on alternate Sundays. Every few days a warder remains to sleep in the prison. On these days he is on duty till 8 p.m., and goes to bed at 10. I have no reason to believe that the warders are dissatisfied with their condition, or that they suffer from grievances calling for inquiry.

#### SCOTCH PROCURATOR FISCALS.

**MR. BROADHURST** (Nottingham, W.): I beg to ask the Lord Advocate whether it is true that a police sergeant at Bo'ness holds the position of Procurator Fiscal, and can, consequently, institute a prosecution, issue a warrant, personally arrest, and afterwards act as prosecutor; and whether this was recently done in the case of the crew of the steamship *Firdew*, of London, who refused to proceed to sea in that vessel in consequence of the terms of the articles which they had signed being altered without their consent, and, if so, whether he will take steps to remedy what appears to be a reasonable grievance?

**\*THE LORD ADVOCATE** (MR. J. P. B. ROBERTSON, Bute): It is the fact that a police sergeant at Bo'ness holds the position of Procurator Fiscal, and can consequently institute a prosecution, arrest, and act as prosecutor, but he has no power to issue a warrant. There is nothing illegal in such an appointment; and a clause similar to the section of the General Police Act of 1862, authorising the practice, has been approved by the several Committees of this and the other House, who have considered the provisions of the Burgh Police and Health (Scotland) Bill. A complaint has reached me as regards the crew who deserted from the steamship *Firdew*, into which I have ordered inquiry. But, so far as I can at present ascertain, nothing was done by the police on that occasion which they are not authorised to do, and no proceedings took place before the Burgh Court in connection with the desertion.

#### VIVISECTION.

**MR. WEBB** (Waterford, W.): I beg to ask the Secretary of State for the Home Department whether he is aware that although an Assistant Inspector was appointed last year under 39 and 40 Vic. c. 77, regulating vivisection, no laboratory where experiments on living animals were carried on was inspected more than three times, some twice, and others only once in the year 1889; whether, whilst the terms of the Act are explicit, that "the Secretary of State shall cause all registered places to be, from time to time, visited by Inspectors," it is the fact that for the greater part of the year the experimentors are practically

free from inspection; and whether, since it appears from the recently issued Report that the Inspectors still mainly rely on the statements of the vivisectioners themselves for the materials for their Report and Return, it is the intention of the Government to make arrangements for the more effectual carrying out of the spirit of the Act?

MR. MATTHEWS: I am aware of the number of visits paid by the Inspector as stated in the last Report. The words "from time to time" in the Act have been interpreted in the Home Office to mean once a year, and the Act does not contemplate that the actual experimentation shall take place under the personal supervision of the Inspector. I have no information in my possession which leads me to think that the spirit of the Act is not effectually carried out. On the contrary, the Reports made to the Inspector of the various experiments, and often communicated to the scientific journals, show that the conditions imposed by Parliament are loyally carried out. Should facts be brought to my knowledge showing that this is not the case, or that the existing provisions for inspection are unsatisfactory, I should not hesitate to apply for additional assistance for carrying out the Act.

#### NAVAL HOSPITAL ACCOMMODATION.

MR. HERBERT KNATCHBULL-HUGESSEN (Kent, Faversham): I had intended to ask the First Lord of the Admiralty whether he is aware that nothing has yet been done to carry out the recommendation of the jury in the recent *Barracouta* case at Sheerness with respect to the hospital accommodation, and that, in case of accidents, the sufferers, if not military men, would still be sent to Chatham, although there has been and is ample accommodation in the Military Hospital at Sheerness; but as I do not see the noble Lord in his place I will postpone the question until Friday.

#### TELEGRAPHIC CODES.

MR. JAMES MACLEAN (Oldham): I beg to ask the Postmaster General whether, according to the Rules passed at the Telegraphic Convention of 1879, and which have been in force for the last 10 years, the number of letters in words used in Telegraphic Codes is restricted to 10; whether he is aware that, at the

*Mr. Webb*

forthcoming Convention, a proposition will be brought forward to further restrict the number of letters to eight, a change which would put the whole mercantile community to great inconvenience and expense; and whether the Representatives of the British Government will be instructed to resist such an alteration, and to refuse to sanction it till it has been submitted to Parliament?

\*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): In reply to the hon. Member, I have to state that the Convention governing the telegraphic relations of the States which are parties thereto is that concluded at St. Petersburg in 1875. The Regulations annexed to that Convention were last revised in Berlin in 1885, and the number of letters used in telegraphic codes has since then been restricted to 10 letters both for European and Extra-European telegrams. I am not aware that any proposition will be brought forward at the forthcoming Conference in Paris to restrict the number of letters in code telegrams to eight, and I do not apprehend that such a proposal is likely to be made.

#### UNCLAIMED ARMY PRIZE MONEY.

MR. NORRIS (Tower Hamlets, Limehouse): I beg to ask the Secretary of State for War if he can state if upwards of £600,000 unclaimed Army Prize Money has been devoted during the present century to keeping up Chelsea Hospital and Gardens, and if a sum of £76,000 Consols is now awaiting claimants; whether, since 1863, £81,976 of soldiers' unclaimed balances has been handed over to the Patriotic Fund Commissioners; and if, from either of such sources, allowances can be awarded to such deserving old soldiers, incapable of work and in want, who served before the enemy in the Crimea or during the Indian Mutiny?

\*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horn-castle): The sums transferred from Army prize money and from soldiers' unclaimed balances are substantially as stated in the question, but such funds can only be devoted to the purposes laid down in the Statutes under which they are transferred. But I should like to look into this matter a little further before arriving at any positive conclusion.

# ROYAL NAVAL ARTILLERY VOLUNTEERS.

MR. BROOKFIELD (Sussex, Rye):

I had intended to ask the First Lord of the Admiralty whether he can state the exact precedence to which a local corps of Royal Naval Artillery Volunteers would be entitled when taking part in a brigade parade composed as follows: one regiment of Yeomanry Cavalry, local corps of Royal Naval Artillery Volunteers, local corps of Artillery Volunteers, and two companies of Rifle Volunteers? At the request of the noble Lord I beg to postpone the question.

# INCOME TAX ON HOLDINGS OF GOVERNMENT FUNDS.

MR. BUCHANAN (Edinburgh, W.):

I beg to ask the Chancellor of the Exchequer whether considerable amounts of Consols, Indian, Colonial, and Foreign Government Funds, as well as of many other securities, of which the dividend warrants or coupons are payable in England, are held by persons living in Scotland and Ireland; whether, in the Parliamentary Paper recently issued on the Incidence of Imperial Taxation in the three countries, the Income Tax on the interests payable on all the above securities is set down exclusively as part of the contribution of England to the Imperial Revenue; and whether, to arrive at a fair apportionment to Scotland and Ireland, any allowance has been made for the Income Tax contributed by Scottish and Irish holders of the above securities?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Income Tax is deducted in London from Consols and other Government securities of which the interest is payable in London, and it follows that Scotch holders of such securities pay Income Tax in England. Income Tax is deducted on Consols at the Bank of Ireland, therefore Irish holders of Consols pay for the most part their Income Tax in Ireland. The Parliamentary Paper No. 163 states that the Return charges Income Tax under the country where it is collected. This is, in fact, the only definite information which we possess. I have not, however,

lost sight of the fact that under the system of deduction in force England may be credited with Income Tax charged on Government Securities and the securities of various companies held by Scotchmen; but, on the other hand, Scotland may be credited with Income Tax charged on securities of Scotch companies held by Englishmen. It is possible, however, to give some indications of the extent to which securities paying Income Tax in England are held in Scotland. I learn from the Bank of England that out of 1,070 dividend warrants posted under letter A, 1,035 went to English addresses, 14 to Scotch, and 21 to Irish. But I have tried the letter most favourable to Scotland. Under the letter M, including Mac, out of a total of 1,079, 1,028 went to English addresses, 37 to Scotch, and 14 to Irish. Again, the dividends on £6,020,000 Consols out of a total mass of about £500,000,000 were paid in April last by the Bank to agents of Scotch banks. Further information has been received from an English bank much to the same effect. These figures would point to a very low percentage as representing the Scotch holding of Consols and other securities paying Income Tax in England. But, as a matter of fact, the contribution of Scotland to the Exchequer might be increased by the allowance of a high percentage in respect of their securities without reaching the figure of 11 per cent., upon which we base our contribution to the local expenditure of Scotland.

# THE SUGAR CONVENTION.

MR. ILLINGWORTH (Bradford, W.): I beg to ask the Under Secretary of State for Foreign Affairs whether the statement in the *Standard* of yesterday is correct, namely, that the German Government has received information that England has determined to defer for the present the carrying out of the Sugar Convention?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FER-GUSSON, Manchester, N.E.): The *Standard* said that a rumour to this effect was current at Magdeburg. Her Majesty's Government are not aware of any such information having been received by the German Government.



## THE BARRACKS BILL.

MR. CHILDERS (Edinburgh, S.): I beg to ask the Secretary of State for War whether he proposes to furnish to the House any information as to the districts or localities in which, and the objects for which, the expenditure of £4,100,000, under the Barracks Bill, is to be devoted?

\*MR. E. STANHOPE: I explained our proposals in considerable detail in introducing the Barracks Bill; but I am quite ready to meet the wish expressed by the right hon. Gentleman, and accordingly I laid on the Table yesterday a Schedule showing the detailed expenditure proposed in various localities.

MR. SEXTON: How much of the £300,000 to be taken this year is to be spent in Ireland?

\*MR. E. STANHOPE: I am afraid I cannot answer that question without notice, but I think a very considerable portion, because nothing is nearer my heart than that something should be done to the Dublin Barracks.

MR. SEXTON: What barracks are to be dealt with this year?

\*MR. E. STANHOPE: Both the Royal Barracks and the Richmond Barracks.

MR. G. ELLIOT (York, N.R., Richmond): May I ask the Secretary of State for War whether the Richmond Barracks, in Dublin, have been passed as healthy; whether an officer of the 2nd Battalion the King's Royal Rifles, quartered in these barracks, has recently been attacked by typhoid fever; and whether the barracks are now in a satisfactory sanitary condition?

\*MR. E. STANHOPE: I am sorry to say that an officer in these barracks was recently attacked with enteric fever. He had been on leave on three occasions during the previous month, and it is therefore possible that the disease was not contracted in the barracks. A good deal has recently been done to the drainage of Richmond Barracks; but until the works immediately contemplated are complete, I cannot say that I am satisfied that every effort has been made to avert the recurrence of this disease.

## IRELAND—DISTRICT INSPECTOR GAMBLE.

MR. JOHN O'CONNOR (Tipperary, S.): I beg to ask the Attorney General for Ireland whether his attention has been called to the report published in the *Glasgow Evening Citizen* of an interview which purports to have been held between its special reporter in Tipperary and District Inspector Gamble; whether District Inspector Gamble refused to inform Father Humphries, when asked by him, whether the report of the interview was correct or not; and whether it is usual or in accordance with the Rules of the Irish Police Service that officers of that body should grant interviews to newspaper reporters?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I must ask the hon. Member to postpone this and also another question which appears in his name.

MR. J. O'CONNOR: May I be allowed to say that these are matters, relating as they do to police watching, which are of very great importance. There are proceedings now going on which I believe to be endangering the public peace, and I think that some effort should be made by the Department to obtain the information I ask for. I will postpone the question until to-morrow. I cannot allow it to stand over longer.

## LAND COMMISSION—LEITRIM.

MR. CONWAY (Leitrim, N.): I beg to ask the Attorney General for Ireland whether he will afford immediate facilities for the return visit of the Sub-Commissioners of the Land Commission to North Leitrim in order to dispose of the applications for fair rents, some of which have been listed for hearing more than two years.

MR. MADDEN: I must ask the hon. Member to postpone the question.

MR. CONWAY: I will postpone it until Monday.

## LIEUTENANT WILCOX, R.N.

DR. TANNER (Cork Co., Mid): I had a notice on the Paper to ask the First Lord of the Admiralty if he is aware that Mr. Wilcox, Lieutenant R.N., and Coastguard Officer at Spanish Point, Miltown Malbay, County Clare, acts as

local agent for the Army and Navy Co-operative Stores, and has a shop fitted up and stocked in the locality, selling, amongst other things, wine, spirits, and tobacco; and if such conduct is in accordance with the Regulations of the Admiralty; and, if not, whether instructions will be issued to Lieutenant Wilcox to desist from such practices. As the noble Lord is not in his place I will postpone the question until to-morrow, but I wish to say that as this is the third time I have postponed it at the request of the noble Lord I hope he will find it convenient to give his attendance here at 12 o'clock to-morrow.

#### THE IRISH LIGHTS BOARD.

MR. SEXTON (Belfast, W.): I beg to ask the President of the Board of Trade whether he has received any reply to his recent letter to the Irish Lights Board, asking for their observations upon the Memorial addressed to him by Mr. John M'Mahon, of Armagh, complaining that the Lights Board had refused to admit him to a competitive examination to fill a clerkship in their office; whether Mr. M'Mahon's application to be nominated for examination was supported by all the civic members of the Irish Lights Board; whether the majority of the Board, in refusing the nomination, correctly represented that the Board of Trade had instructed them to present the names of no more than five candidates for the vacant office; and whether, pending the decision of the Board of Trade on the question of Mr. M'Mahon's right to present himself for examination, the examination will be postponed?

\*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The Commissioners of Irish Lights have replied that they have no observations to offer upon Mr. John M'Mahon's Memorial. I have caused that gentleman to be informed accordingly, and that the Board of Trade have, as I stated in reply to a question of the hon. Member for North Louth the Session before last, no control over the Commissioners in the matter. I am not aware what members of the Lighthouse Board supported the application, or of the reasons given by the majority for refusing it. When the Order in Council

settling the office establishment of the Lighthouse Board was made two years ago the Board of Trade made it a condition, in order that the competitive system might be introduced into this Service, that five candidates should be nominated by the Commissioners to compete for each vacant lower grade clerkship. As the Commissioners of Irish Lights are acting within their rights in this matter there is no decision for the Board of Trade to arrive at.

#### THE EXECUTION OF DR. CROSS.

MR. PATRICK O'BRIEN (Monaghan, N.): I beg to ask the Attorney General for Ireland whether he can state the cause of the failure of the Coroner's Jury to record a verdict in the case of Dr. Cross, alleged to have been hanged in Cork Gaol, about three years ago, for poisoning his wife; whether the law requires that a Coroner's inquest must certify the cause of death in all cases of persons dying within prisons; whether the Government intend taking any and what steps to have the law complied with in this case; and whether the death of the man hanged, and alleged to have been Dr. Cross, has been registered; and, if so, whether he has any objection to state the date upon which the death was registered, the cause of death given, and by whose authority it was so registered?

MR. MADDEN: The Executive Government have no control over the action of the Coroner in this matter. The death was duly registered in a medical certificate given by Dr. Coates, interim Registrar of the district, dated February 15, 1888. The cause of death stated was "injury to the spinal column in the neck, effected by hanging." The Registration of Births and Deaths Act dispenses with a medical certificate where the cause of death has been found by a Coroner's Jury. In the absence of such a finding registration can, in my opinion, be effected on a medical certificate. The circumstances under which no verdict was recorded are simply these. The inquest was opened by the Coroner in due course, when some of the jurymen called for the presence of the executioner, and the executioner not being forthcoming the Coroner adjourned the inquest.

MR. P. O'BRIEN: Will the right hon. Gentleman inquire whether it is not the fact that the executioner could not have left Cork for several hours after the Jury declined to return a verdict; and whether it is not also the case that in Liverpool before a Coroner's Jury consented to return a verdict they required the attendance of the executioner?

MR. MADDEN: I have no objection to make inquiry if the hon. Gentleman attaches importance to the matter; but I believe that in this case the coroner found that the executioner had left the town, and he had no jurisdiction to summon and enforce his attendance.

MR. P. O'BRIEN: Is it true that the executioner was not sober, and was it not necessary that his absence should have been reported to the next Judge of Assize?

MR. MADDEN: I have no such information.

In reply to a question by Mr. CHILDERS,

MR. MADDEN said: I cannot answer for the course of procedure under the English Act; but under the Irish Act, where there has been no inquest or no finding by a jury, registration may, in my opinion, be effected, as in ordinary cases, upon a medical certificate.

#### TITHES.

MR. E. ROBERTSON (Dundee): Perhaps the right hon. Gentleman the First Lord of the Treasury will allow me to put a question to him of which I have not given notice. It has reference to a matter referred to by the President of the Local Government Board on Friday. The right hon. Gentleman said he would seriously consider the advisability of advancing money at a low rate of interest, to enable landlords to buy up tithes. Have the Government arrived at any conclusion upon that subject; and is the First Lord of the Treasury able to make any statement at this moment?

\*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I think the hon. and learned Gentleman must feel that a question of this kind requires notice.

MR. E. ROBERTSON: I beg to give notice that on Thursday I will ask the right hon. Gentleman, whether he will

make a full and definite statement on the subject before the next stage of the Tithes Bill?

#### SHIP *ARAUNAH* (SEIZURE OF VICTORIAN SCHOONER).

Address for—

"Copy of Correspondence that has taken place with reference to the seizure of the Victorian Schooner *Araunah* in the Behring Sea."—(Mr. Staveley Hill.)

#### NEW MEMBER SWORN.

Sir Joseph Dodge Weston, knight, for Bristol (East Division).

#### MOTION.

#### ALLOTMENTS ACT (1887) AMENDMENT (COMPULSORY PURCHASE) BILL.

On Motion of Mr. Channing. Bill to further cheapen the procedure for the Compulsory Purchase of Land under "The Allotments Act, 1887," ordered to be brought in by Mr. Channing, Mr. Cobb, Mr. Halley Stuart, Sir Walter Foster, Mr. Francis Stevenson, and Mr. Seale Hayne.

Bill presented, and read first time. [Bill 271.]

#### ORDERS OF THE DAY.

#### LOCAL TAXATION (CUSTOMS AND EXCISE) DUTIES BILL—(No. 244.)

#### SECOND READING. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Amendment to Question [12th May], "That the Bill be now read a second time."

And which Amendment was,

To leave out all the words after the word "That," to the end of the Question, in order to add the words "this House declines to assent to a Bill which provides by payment out of public moneys for the extinction of annual licences in the manner provided in the said Bill,"—(Mr. Cairns.)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate resumed.

\*(2.45.) SIR W. H. HOULDSWORTH (Manchester, N.W.): Reference has been made, during the course of this Debate, to the attitude and action taken by the Church of England Temperance Society, and although I have no mandate from them to speak on their behalf I think it

is only right that I should clearly state the position to the House. The hon. Member for Barrow (Mr. Caine) stated yesterday that the support which this Society is supposed to give to the Bill is really the action of a small sub-Committee, and he insinuated that they were acting without full authority from the Society. Now, it is perfectly true that this action has been taken by the legislative sub-Committee; but that is only a portion of the truth, for, as a matter of fact, the Central Committee, which is the Constitutional organ of the Society, met the day before and carefully considered the provisions of the Bill. They had no opportunity of receiving full information in regard to the provisions of the Bill, and I believe that, as a matter of fact, they had only one copy of it before them. But however that may be, they came to the conclusion that their best course was to relegate the Bill and the whole of the question to the Legislative Sub-Committee, and they distinctly gave that Committee full power to consider the provisions of the measure and to propose any amendments in it that were necessary. They were also authorised to make arrangements for an interview with the President of the Local Government Board, and generally to represent the Society in reference to the provisions of the Bill. Therefore, I think I may confidently state that the Committee fully represent the whole Society, and have Constitutionally expressed its opinions. It is quite true that the Executive Committee have very properly re-affirmed the principles laid down three years ago in regard to compensation, and these principles are, I believe, embodied or referred to in a resolution intimating that they have put down certain suggestions which they ask the Government to take into consideration. I should like to say further, in order that there may be no misconception, that the Legislative Committee are a very strong and representative body, and I should like to direct the attention of the House to the outcome of their action in order that there may be no mistake. Having heard the statement of the President of the Local Government Board, the Legislative Committee put down certain conditions upon which they were prepared to give their

support to the Government. The suggestions which they ask the Government to take into consideration are five—first, that words should be introduced providing that nothing in the Act should be taken to prejudice the question of compensation or to establish any claims thereto in any Licensing Act, or to determine the question of licensing authority. It is quite clear that the Legislative Committee have clearly grasped the distinction between the provisions of the Bill and compensation, which are two entirely different matters. Before they went to the President of the Local Government Board they had grasped it, and they wished words to be introduced clearly distinguishing between compensation and the provisions of the Bill. In the second place, the resolution declares that nothing in the Act shall be taken to interfere with the power possessed by the present Licensing Authorities to refuse the renewal of licences without compensation. Three other suggestions were made, and I understand that the Government have accepted every one of them, and, that being the case, the support which the Society is in a position to give is, I think, justified. Hence the whip sent out by the Chairman of the Society, which was referred to last night. Reference was made by the hon. Member for Barrow to the 10 years' limit, and he seemed to think that it was one of the conditions the Society made in giving its support to the Bill. I venture to say that it is nothing of the kind. It is perfectly inapplicable to the present Bill. The 10 years' limit Bill dealt entirely with compensation, and it would be monstrous to say that because you are going, by this Bill, to give the County Councils power to buy up licences, you should, by a side wind, without any consideration as to the form the compensation should take, enact in a Bill, which does not apply to the question at all, that after a certain period compensation shall cease altogether. That would be prejudging the question altogether, and I think that, as hon. Gentlemen opposite object to prejudice the general question, the best course is to leave it entirely open. As the 10 years' limit has been referred to, I should like to say what the position of the Society and my own position are in regard to it. The position we take up is this: We refuse to recognise any

legal claim whatever for compensation, assuming that the Magistrates have absolute discretion. But we hold that there is very strong moral and equitable claim to a moderate, reasonable, and terminable compensation. That claim arises because, assuming that the law on the matter to be perfectly clear, still no sufficient notice of a great change in the administration of the law has been given to the trade. We suggest that, when licences are taken away because the Magistrates think the houses unnecessary, compensation on a scale to be fixed by Parliament should be paid during the 10 years following such an Act, by which time we think sufficient notice would have been given. I do not think that any one judging the question fairly can come to any other conclusion than that it is hopeless to expect that Magistrates or any Local Authority invested with the absolute power of discretion would use the power of withdrawing licences unless accompanied by compensation. Although the Temperance Party may be strong on some of the Local Bodies, still it must be remembered that among that Party there are many fair-minded men who would decline to change the present system of administration and to throw men and their families out of employment and destroy their property simply because England has decided upon taking a moral turn and intends hereafter to become sober. I heartily support the Bill, because I think it is a forward step in the Temperance Movement. I know it is said that it deals with compensation. If I thought it dealt with compensation I should have a good deal to say on the subject, because I think it would be necessary to introduce many other provisions into the Bill. But it is not compensation that it deals with; it is rather a system of purchase, which is wholly and entirely different from compensation; and I scarcely understand the confusion which appears to prevail in the minds of hon. Gentlemen opposite on the subject. Take the case of a Railway Company. It wants land for a railway, and there are two ways in which it can obtain it—either by purchase under agreement or by compulsory powers. I admit that there is payment in both cases, but there is a great difference in the mode. So

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also in this case—compensation must depend upon a number of circumstances, especially when the question happens to be compensation for the withdrawal of a licence. I do not think that any hon. Member opposite will deny for a moment that public houses are marketable commodities. They are bought or sold every day, and they are bought and sold by Corporations under Statutory provisions. Personally, I must say I would rather that the public money was spent in extinguishing licences than in keeping them alive, which is the case now. Then we are told of vested interests—that we are proposing to recognise a continuous vested interest. I deny it altogether if by a vested interest is meant an indiscriminate and indefinite interest over a series of years. We are doing nothing of the sort. But will any hon. Member deny that there is a vested interest at present which is a purchaseable article and a marketable commodity? It is recognised that there are vested interests in beer houses licensed before 1869, and that the Magistrates have no power to withdraw these licences. So also there is certainly a vested interest in every public house for a year, and a distinct value can be put upon the chance of renewal of the licence. There will always be a value attached to the house so long as the licence is continued, and it will be a marketable commodity varying with the reputation of the house, the character of the neighbourhood, the disposition of the authorities, and many other circumstances. Marketable commodities have no relation to compensation, and I fail to see how there can be anything detrimental to the cause of temperance in giving to the County Councils the powers contained in the Bill in addition to the limited powers they at present possess of buying public houses for other public purposes. I confess I cannot understand the policy of a certain section of the Temperance Party. There are two classes of temperance reformers—one who would rather have no reform save according to their own method. These are the impracticable temperance reformers, and as Mr. Bright said some years ago they have failed, and they always will fail, because they do not take advantage of their opportunities, but prefer a cut-and-dried

system, and will accept nothing but that system. It is owing to the attitude of this class of temperance reformers that temperance legislation has been kept back and retarded during the past 30 or 40 years. But there is another class of reformers—and one which, I am glad to say, is becoming more numerous every day. They are to be found even amongst extreme temperance reformers. I refer to the class who though they have a preference for one system over another, and though they hold a strong opinion that their own system is the only one which ultimately will work out the object they have in view, still, as opportunity offers from year to year, rather than stand still and wait for a time when they can take a leap and a bound they are willing to take a single step, though it may be only a small one, in advance. If the policy of this last-named class had been adopted by the whole Temperance Party in this country, many steps by this time would have been taken, and a great deal of progress would have been made, in the direction in which we desire to go. I believe we should by this time have had a large number of Acts on the Statute Book which would have promoted the cause of temperance. If the House looks back over the past 20 years it will find there have been many proposals made for practical legislation which have been opposed by the extreme section of the Temperance Party. The Act of Mr. Bruce was opposed by them in 1871, and temperance reformers of the present day are bitterly regretting the opposition which was offered to that measure. By that opposition a great opportunity was lost. In that Bill there was the 10 years' limit; and if that measure had been passed we should now be years beyond the 10 years' limit, and the question would have been completely got out of the way. Yet the Temperance Party opposite—for what reason I do not know—preferred their cut-and-dried system, and opposed the very moderate compensation proposed in that Bill. Then there was a remarkable incident in connection with the partial Sunday Closing Bill, brought in by the hon. Member for Durham in 1885 or 1886. That was a very workable Bill, and one that I think would have done an immense deal of good. But what happened? The

Bill passed the Second Reading, and there seemed to be a disposition to carry it through; but the Member for South Shields, an ardent temperance reformer, proposed, in Committee, what was practically total closing on Sunday. The hon. Member carried his Amendment in a small House and by a snatch Division, and the result was to wreck the Bill. The Bill was withdrawn, and we have not moved a single step in the matter from that time to this. Then there was the Bill of 1888, and, without saying that that was a perfect measure, I believe it could have been amended and that the Compensation Clauses could have been made perfectly moderate and reasonable. The compensation period would have been terminable, and by this time two years of this terminating period would have elapsed. And in this way opportunities are being lost year by year. We now have the present measure, and I am bound to say that if the Temperance Party defeat it they will incur a very heavy responsibility. I do not know that I can say that it is a very large measure. I admit that it is not large; but I have come to the conclusion that we can only proceed in this matter by small steps, until we can get public opinion educated up to, and the Temperance Party united upon, a general policy. We could get a great deal from this Bill. Do hon. Gentlemen opposite realise what we should gain by it? There would, under it, be no more new licences save under special conditions; there would be a popular body dealing with the temperance question. It might only be the thin end of the wedge, but there it is. And then there would be perfect freedom from all questions in the future as to the absolute discretion of the Magistrates to deal with the question of renewals. This discretion has been termed a blot in the Bill, as it insinuates the idea that the Magistrates have not discretionary powers at present. Well, I am no lawyer, and cannot give a definite opinion on that matter myself; but, at any rate, if there is a doubt in some minds as to the power of the Magistrates, the Bill will set it at rest. Whatever discretion now exists will still exist. Every care has been taken that no increased value shall be occasioned by the Bill; every care has been taken to protect the temperance interest; and, so far as I can judge from

the tone and temper of the right hon. Gentleman the President of the Local Government Board, he is most willing to entertain any fair suggestion for the amendment of the Bill. The question is—does the House mean to throw away this opportunity? It has had chances before, but has thrown them away. Are we going to repeat that fatal mistake? As I have said, the measure is a small one, and many people doubt how far the County Councils will use the powers which will be conferred upon them, but that is no argument against the Bill. Let us see what the County Councils will do; let us have some new light thrown on this temperance question. The action and attitude of the County Councils will be a guide for future legislation. Some of the County Councils may not use the powers of the Bill, others may use them to the full extent, and others may use them more or less, according to circumstances. I do not think we ought to be frightened by the cry raised as to the large sum of money that will have to be expended. The hon. Member for Barrow always seems to have too much in his mind the aristocratic public houses and to ignore an immense number of small houses. According to a statement I had prepared a year or two ago there are 961 licensed houses in Manchester, and of those the number whose gross rental does not exceed £20 was 116, while the number of those whose rental was from £20 to £30 was 341. It would not cost much to purchase the licences of these houses, which formed nearly one-half of the total number in the town. In both town and country districts there are large numbers of small houses with which the County Councils could deal. I regret that twice the amount mentioned in the Bill has not been devoted to the purpose of buying licences, believing that the Councils will not make such bad bargains as some hon. Members suppose. I support the Bill because I believe it will have the effect of greatly removing the temptations to drink. The measure is an honest attempt to deal with a very difficult question, and it will do good by strengthening public opinion in favour of a more complete measure of temperance reform. Looking at the Bill as an experiment, I am not sure that it will not be wise to make it terminable. For if

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the Councils should take an extreme view and should decline to spend the money as provided in the Bill, the fund would accumulate and would have to be dealt with by Parliament, and I am not sure, as hon. Members have doubts as to the soundness of the scheme, that the Government would not be well advised if they made the Bill altogether experimental. They might make it terminable at the end of 10 years, and then, having had 10 years' experience, Parliament could revise the whole question. This would mitigate much of the opposition now offered. In conclusion, I would repeat that those who take it upon themselves to defeat the measure—the first practical measure for many years which has had a chance of passing into law—will be accepting a very heavy responsibility—a responsibility for which they will have to give account.

\*(3.17.) MR. P. ESSLEMONT (Aberdeen, E.): It will be for those who belong to the Church of England Temperance Society to meet the hon. Member's arguments in that respect, but, on another point, I may say I am sorry to find that he has no faith in the present Bill. He says it is a small measure and that the County Councils will very likely refuse to act upon it. Well, what can operate in his mind to induce him to support the Bill? So far as I am concerned, I have only one or two considerations to put before the House—and I think they are considerations which will require an answer. It has been my duty for a long time past to deal with licences, and I quite sympathise with any Government that tries to bring about a different state of things in regard to them than that which at present obtains. I can say that anything more unsatisfactory than the present licensing system could not possibly be found. But we are required to deal with quite another consideration here. In Scotland I quite admit that things in this respect are quite different from England and Ireland. We have, as Licensing Magistrates in Scotland, recognised in no way whatever money transactions in regard to licences. We have no regard to the amount of money a person may pay as a matter of speculation for licensed premises, our only consideration being the necessities of the community. It is maintained by the Government that there is a value in

licences, and that they ought to be bought at compensation price. I want the President of the Local Government Board to recognise where this value is derived from. The Licensing Magistrates commissioned by the community have a delegated right to give a licence for a certain price. Is that licence worth more than the money paid for it? Let us assume, for the sake of illustration, that the licence on account of the rent of the property is £50 a year. That is a right we give for a money consideration, not for the individual, but the community. If this is not an individual right, to whom does it belong? Unquestionably, it belongs to the community; and what is the consideration thus given or taken? The consideration given is the value of the licence as a working licence. Supposing that the value of the working licence is £100 a year instead of the £50 paid for it, the additional £50 clearly belongs to the community. If any person doubles and trebles that price surely a case is made out for increasing the value of licences, so that instead of £50 licences should cost £100 or more; and, moreover, we should not grant this privilege to any individual and allow him to sell it at a profit, pocketing that profit which belongs to the public. If we are to give licences at their marketable value surely we ought to raise the price. If to raise the price of the licence we take away the whole selling value and the consequent profit surely there is nothing to prevent our doing so. There is in my county a very large estate, the proprietor of which claims the right to let no part of it for the sale of intoxicating drink. The law does not interfere with the proprietor in this action. If he extinguishes a licence on the estate, he has a right to do so in the knowledge that he reduces the value of the house and of his property; but the landlord considers that there is such moral benefit to the people by the extinction of such licence that he refuses to take the extra value for a trade that demoralises the community. The landlord can do that now. Are we to institute a new law which will enable the County Councils to make the community pay for what, under the existing system, a landlord so acting has to pay for himself? These are considerations which must be taken

into account in discussing this proposal<sup>1</sup> of the Government. Further, I believe that there is no occasion for pressing this question of compensation. I believe that under the existing law it is quite possible, and quite within the power of the Magistrates, to reduce the number of existing licences very largely without any compensation whatever; and where Licensing Magistrates have had the wish to reduce the number of licences there has been no difficulty about it. I think it is a monstrous proposal that the people of the community should be called upon to pay out of public money for a thing which they have all along held— which the public sentiment of the country holds—is a right conferred not on any individual, but for the community of a particular neighbourhood. I noticed in this discussion that Members speaking from the Benches opposite have very much harped on this: that there are a large number of public houses which can be done away with almost without any compensation whatever. I claim for these small houses that they are not the houses which are doing mischief in the locality. Many of them are hostleries and small hotels conducted upon a plan and under a supervision which make them a convenience to the public and not as objectionable as the large public houses to which the compensation will go if this Bill passes. I think it is unfair that these houses should be singled out, not having influence and the brewers at their back, as places from which the licences may be taken without compensation, while the large houses in populous districts, doing a thriving business at the expense of the morals of the community, are those alone which are to receive compensation. Representing Scotland, I maintain that the highest moral sentiments of the country are distinctly opposed to this proposal as a pernicious measure, and for that reason I shall give a strenuous opposition to the Bill at every stage.

\*(3.35.) *MR. SOMERVELL* (Ayr, &c.): I propose to address a few remarks to the House in support of the vote which I intend to give in favour of this Bill, not as the Representative of Scotland, but merely as the Representative of one of its Divisions. I listened to the remarks of the hon. Member for Aberdeen (*Mr. Esslemont*) with some amaze-



ment, for I failed to discover in them a single argument to induce the House to reject the measure. We are here to discuss the Second Reading of a Bill which proposes to divert a portion of the resources of the country to purposes which are desired by the people of Scotland; and hon. Members who represent Scottish constituencies must not lose sight of the fact that if they vote in favour of the Amendment they will deprive the people of Scotland of the means of applying this money to purposes to which they desire to see it applied—such as a proper scheme for police superannuation, freeing education in the compulsory standards, the carrying out of the Pleuro-Pneumonia Act, without trenching on the grant in aid of pauper lunatics. Then, again, the County Councils are about to appoint Medical Officers and Sanitary Inspectors, and I would ask if they are to have no assistance from this fund in paying these new officers? Why is this measure to be thrown out? Not because of any objection on behalf of the individuals who are to find the additional money, but because we are told there is a certain objection on the part of certain people to give compensation to publicans. The Amendment moved by the hon. Member for Barrow does not contain a word about compensation from beginning to end. He only asks the House to pledge itself not to devote the public money to the purchase of annual licences, in the manner provided by this Bill, a totally different thing from compensation. The hon. Member for North-West Manchester (Sir W. Houldsworth) has pointed out that the principle of compensation and the principle of purchase are totally different things. The hon. Member for Barrow, in moving his Amendment, referred to two elections which have recently occurred for the borough I have the honour to represent. He told us that in 1888 an Unionist was defeated because of the Compensation Clauses of the Bill then before the House; but I should like to inform him that in my candidature I distinctly stated that I was in favour of compensation from a fund to be raised out of the drink itself, and of transferring the power of granting or refusing licences to the County Councils; and in order that my statement might not be liable to misrepresentation, I stated that I would vote against any other

*Mr. Somervell*

measure. The result was that I was returned. The constituency I represent are earnest in their advocacy of temperance reform, but they desire to see it carried out in a fair and equitable manner. We have been told by the hon. Member for the Govan Division (Mr. J. Wilson) that the heather is on fire. I am not aware that there is much heather in Govan. It is much more easily found in the district I represent, and I am certainly not aware that it is on fire. In contradiction to the statement of the hon. Member, I say, unhesitatingly, that the people of Scotland are not prepared to sacrifice the money which is proposed to be devoted to purposes of free education and police superannuation in order to throw out this Bill. There is one ground which might justify hon. Members in voting against the measure, namely, if it were proposed to take the money out of the Consolidated Fund; but I apprehend that the only persons entitled to object to this tax are the manufacturers, vendors, and consumers of intoxicating drinks. The Chancellor of the Exchequer told us that he intended to make the tipplers pay for tea; but now it appears that hon. Gentlemen opposite object to the tipplers paying for the teetotalers. I believe that the people affected are unanimous in supporting the measure in its entirety. The distillers have been met fairly and generously by the Government, who have intimated that they will introduce a measure dealing with German spirits which will more than compensate them for the additional 6d. they will have to pay. So far as the publicans—who are the middlemen—are concerned, they have unanimously passed resolutions in support of the proposals of the Government; and, in regard to the consumers, I am not aware that a single meeting has been held for the purpose of protesting against the additional 6d. The measure is not one of a heroic character, and I really cannot understand why it should not be accepted, seeing that it will confer the advantage of free education and other benefits upon the people of Scotland, as well as promote the cause of temperance. I represent a constituency in which a considerable amount of drink is manufactured, and in which there is a considerable amount consumed, but in which also there are strong Temperance Organisa-

tions. In supporting the Second Reading of the Bill, I feel that I am only doing my duty as the Representative of these varied interests, and that the measure itself is one which deals with the temperance question from a practical and sensible point of view.

\*(3.45.) MR. HENEAGE (Great Grimsby): I wish to discuss the question from the point of one who has for many years been a practical reformer in the temperance movement. The hon. Member for Aberdeen (Mr. Esslemont) has said that landlords, under present circumstances, have been willing to sacrifice money in order to do away with public houses, but that in future they would go to the County Councils and ask for compensation. I do not believe that that is the fact, and, speaking from my own experience, I may say that wherever the landlord has shut up public houses he has done, as a rule, no injury at all to his tenant, but a great deal to himself, because the entire loss fell upon him. I wish altogether to repudiate the argument used by the Solicitor General last night, and I deny the accuracy of his remarks as to the power of the Magistrates with regard to the refusal to renew licences. I maintain that what the Solicitor General said was bad both in law and in fact, and am prepared to prove both assertions. The case of "Sharp v. Wakefield" has proved that there is no vested interest in public houses, and that the Magistrates have perfect power over the renewal of licences. They have an absolute right to refuse if they choose. Now, I would not vote for this Bill, or for a single word or line in it, if I believed that it would set up a vested interest in any way whatsoever. I believe that when the Amendments promised yesterday by the President of the Local Government Board have been put in the Bill, and perhaps some more adopted while the Bill is in Committee, the measure will be deprived of any ground of complaint that it sets up vested interests. The President of the Local Government Board stated that he would restrict the issue of off licences, and that he would insert a clause which would set forth most clearly the right of Magistrates to use their discretion in refusing to renew licences. That clause is one which I think should be watched very carefully

after the speech of the Solicitor General, who, I hope, will have nothing to do with the drafting of it. I should like to point out what, in my opinion, will be the result of the power given under the Bill together with the power which the Magistrates now use fairly. I believe that, after the decision in "Sharp v. Wakefield," the Magistrates will get rid, as far as possible, of all unnecessary and all moderately, as well as badly-conducted, houses. There is another class of houses—generally small houses—conducted very fairly and with credit; but they do a very small business, indeed, and it will be a very good thing to get rid of them. I believe that the purchasing power intrusted to County Councils will be used for the purpose of getting rid of those houses. I desire to see them got rid of because they do an unprofitable business and prevent other houses from being managed in a respectable manner. Such houses deprive a neighbourhood of the peace which ought to prevail. My experience as a Magistrate is that in a village where there is only one public house, good order prevails, and the services of the policeman are not in much request; but in villages where there are two or more public houses it takes fully half the time of the policemen to watch the public houses. I can speak of this with some experience as a Magistrate; for when I was actively engaged in attending Petty Sessions more regularly than I am able to do now, I found that, in my division, nearly all the cases came from four parishes, in two of which there were two public houses, in one three, and in the other five. We had only to sit once a month, and I believe that if in each of these parishes there had only been one public house, it would not have been necessary to sit more than once in three months. No Government can accept such an Amendment as this now under consideration, and then go on with the Bill. It is an Amendment that will be absolutely fatal to the Bill. What has been the object of reform in temperance matters for years past but to decrease temptation and diminish public houses? Will not that be the result of this Bill? I do not, myself, see why temperance reformers should object to public houses providing funds to assist them. It seems to me rather a dog-in-

the-manger policy. Some temperance reformers will not give any money from rates, and now they will not allow publicans to assist them. I have always recognised that, if there is no legal or vested interest, a publican has, at any rate, the right to be treated as any other tradesman would be if disturbed. We are told that Parliament ought not to deal with this question, and I ask, Why not? I say, on the contrary, that we are almost pledged by our action in 1888 to deal with the question in the present Parliament. The constituencies did not wish the Licensing Clauses to be incorporated in the Bill of 1888 on good and sufficient ground, for they do not wish it to be a question at the first election of County Councillors. Well, I do not know what other temperance reformers may be pledged to in this matter. In 1888 I saw the crisis coming, and went down to Grimsby and asked both interests to meet me on the same day, and the resolution then come to expressly states that it ought to be dealt with by a separate and comprehensive Bill in the present Parliament. Now, I strongly support this Bill for what there is in it, but I shall probably move some amendments in Committee. I am strongly in favour of the noble Lord the Member for Paddington's (Lord R. Churchill) Bill, for I believe in the abolition of beer houses, the raising of the status of public houses, and direct responsibility of those having the control of them; and I agree that there should be some provision to make Magistrates more careful than they are in granting renewals. I would even go so far as this: I would compel every public house to have a coffee room in it, where refreshments could be got without having to go to the bar or the tap room. I would also like very much to see some limitation put with regard to the purchasing powers. I think that a term of 10 years would be quite enough for this Bill. In the meantime, there could be a large comprehensive scheme that would thoroughly deal with the question. I think that the publicans are as much entitled to compensation for disturbance from County Councils as they would be if disturbed for the purposes of public improvements or of a railroad, and I do not see why we should refuse to give them this compensation, in order

*Mr. Henneage*

to smooth the way for temperance, or to ensure the health and prosperity of the people. I have not forgotten, and I cannot forget, the admission of the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) when he said, in 1880, that he wanted a frank recognition of the principle that we are not to deny the publicans as a class the benefits of equal treatment. Here is laid down the principle of equitable compensation for disturbing the trade by the will of the people, or their representatives on Local Councils.

\*(4.2.) MR. A. GATHORNE HARDY (Sussex, East Grinstead): I wish to treat this question as far as possible free from Party bias. I am content to take it that the effect of the "*Sharp v. Wakefield*" decision was correctly put by the other side, and that there is no vested right in licences. But at the same time I take that with the qualification that has been given to it by many speakers, for it has been clearly pointed out by hon. Members opposite, that, though there is no vested right in licences, the holders of them have a claim to fair and equitable treatment, and that their rights have so far been recognised. It has so far been the established practice that their position should not be disturbed without adequate reason that it would be indeed a harsh thing if their trade were disturbed without adequate compensation being given to them. I am not now dealing with the amount of compensation, but merely with the principle. Lord Coleridge has said that there is nothing in England that would help the question more than bringing to bear upon it the great principles of fairness and justice, and nothing would defeat their ends more than if any one had the right to say he has been unjustly and inequitably treated. Whatever may be the legal rights of the licence-holders, they have an equity that they should not be ruined because the mind of England has changed on the subject. Their equitable interest ought not to be upset. That would not be to the advantage of the Temperance Party; and would recoil on the heads of those who supported it. Let me point out the difference between abstract and individual interests. We are all in the House of Commons the advocates of economy in the abstract, but all know very well that when the case

of a particular interest is brought before the House we are apt to throw our ideas of economy to the winds. I am satisfied that many of those who are at this moment shouting for no compensation to the publicans, if it came to the individual case of Mr. So-and-so, with whom they were acquainted, and if they found that he had invested the savings, perhaps of a lifetime, in a public house for which he had paid a considerable price, and was to be turned out into the streets without a penny of compensation, they would be outraged at such a thing taking place, and there would be a block in the way of the temperance movement in the future. The Mover of the Amendment raised also the question as to whether compensation should be given to other persons, and gave an instance of property at Liverpool where in one district there were eight public houses, and in the other only one, and argued that damage had resulted to property in the district where there were eight. I venture to think that that is an argument to which this House would not listen without requiring to know more about the neighbourhood. Then the Mover of the Amendment said, take any hundred working men, eliminate from them all the total abstainers, and the majority of those left would repudiate compensation proposals. That test, however, it is impossible to carry out. For my own part I can only say this, that I have in many constituencies and on many occasions spoken to large representative meetings of working men, and I have always advocated the principle of fair and legitimate compensation, and stated that it was impossible to meet the question on any other terms. On those occasions I have met with few dissentient voices. The right hon. Gentleman the Member for the Bridgeton Division (Sir George Trevelyan) has given vent to one or two propositions which, to my mind, are absolutely astounding. In the first place he has committed himself to this, that the partial extinction of public houses would not diminish drink, but would only give a larger traffic to those remaining, and would really do no good. I can only say that that statement is in opposition to the statements of temperance reformers up to now. Everyone who has addressed the House upon this question has de-

plored the number of licences that exist. I cannot help thinking that the great wit of the right hon. Gentleman must have deserted him when, in the next place, he was dealing with the question of whether it was the houses of great or small value that caused intemperance to the greater extent. He (Sir George Trevelyan) showed that he had made an examination of the number of public houses in Bedfordshire, and the Returns of drunkenness, and also the Returns in London, and he found that the offences were much greater in London than in Bedfordshire, the houses being of greater value in London. He, therefore, seemed to think that he had proved his proposition. To deliberately put before the House the naked proposition of the comparison between Bedfordshire and London was almost an insult to the capabilities of this House. This measure consists of three parts. In the first place, it redeems the pledges of the President of the Local Government Board to give further assistance to the ratepayers with regard to local taxation. I know the grievance of that pledge not having been fulfilled was very seriously felt in the country. It was felt that something should be done to get that £800,000 out of the Chancellor of the Exchequer which we lost by the Van and Wheel Tax not being passed. I attended with the deputation which waited upon the Chancellor of the Exchequer, and I urged that view; and I am most thankful to the right hon. Gentleman for the full, frank, and free manner in which he has fulfilled that pledge in the present Bill. I believe that the country attaches the greatest importance to it. The second question is the suspension of licences. Do hon. Members who oppose this really consider what they are doing? It will be found practically impossible to carry into effect a very great and heroic measure of stopping an enormous number of public houses at a time. I believe time will fight on our side. The Magistrates have every right, and they certainly have the duty, to see that they only renew licences when the houses are well conducted. I believe there is an increasing feeling among them that that duty presses upon them. The suspensory powers in this Bill will

prevent the creation of new licences, and in an appreciable time a great reform will have been carried out, and one that will be very beneficial to the community. Then there comes the proposal, to which the greater part of this Debate has been addressed—the purchase of licences. To that there have been two objections urged: one that the Bill is inadequate, and the other that it involves untold liabilities. I should quite agree that the proposal was wholly inadequate if it was a proposal for dealing with all licences, but the Government proposal is for the extinction not of all licences, but of some licences by purchase. The sum intended to be appropriated for the purpose shows that is only intended to be a small act for a temporary purpose. If the money is wisely and beneficially used I believe that it will be supplemented by a further sum. I think it is perfectly fair that, considering the taking away of one licence gives additional value to the licence which remains, some additional charge should be put upon those licences which remain, and the money so derived might very well be used in the future to supplement the present sum. In a letter to the hon. Baronet the Member for Cockermouth, addressed to him by a distinguished civil servant, the former Secretary of the Board of Trade, the writer has given evidence that though he knows a good deal about the trade of the country he is not very familiar with the licensing question. He says—

“Supposing I was President of a County Council Committee. Supposing the clergy of the district were to suggest to me that a particular house is injurious to morality, would it be for me to go hat in hand to the owner of the house and say ‘I want to buy you out? Sell me your property as cheaply as you can.’”

I venture to think the gentleman who wrote that letter wholly misapprehends the position of the Magistrates with regard to the question; because, if the public house is badly conducted the Magistrates have the power and the right to refuse to renew the licence. With regard to the question of compensation we have enormous figures put before us, but I believe them to be a bogey raised by the hon. Member the Mover of the Amendment. It is impossible, I quite agree, to treat these properties as freehold. They are a precarious property, and those who

*Mr. A. Gathorne Hardy*

buy know that they are liable to be turned out if they do not carry their business on properly. They know, too, that there is a discretion in the hands of the Magistrates, though it has not been used capriciously. But is it the fact that the law recognises no property in these licences? It has been accepted as common ground on both sides of the House that, for the purposes of probate and taxation, interests in public houses have been treated as property. When I was practising at the Bar, some considerable time ago, I was concerned to a certain extent, in what are called compensation cases; and I can assure the House that I have known arbitrators and juries give compensation for public houses taken for the purpose of public improvements just as they would have given compensation in ordinary cases. Supposing, in the future, the London County Council had absolute discretion to take away a licence without compensation. In the first place, they are promoting a Bill for the improvement of the Strand. They take a block of premises, including two public houses, in regard to which they would have to give notice under the Lands Clauses Act, providing compensation. That compensation would be assessed as it is assessed now, and these publicans would recover a considerable amount of compensation for what they have lost. But in an adjoining street, which they do not want for the purpose of public improvement, they might, in the exercise of their discretionary powers, extinguish licences of other two publicans, absolutely without compensation, and turning them into the street without a penny. Some one may say, “You could extinguish the licence first, and take the property afterwards for your improvements.” Is that argument going to be raised? Are we to have the case of Naboth’s vineyard? “Hast thou killed and also taken possession?” Are you going to take away such licences which would not be taken away because you think it necessary in the interests of public morality? I will not insult hon. Members by thinking they will take such a course as that. I thank the House for having listened to what I have had to say. We are to have very large and imposing demonstrations; certain gentlemen have subscribed hun-

dreds of pounds; no doubt we shall see reproduced from the lumber rooms the banners with which we were familiar in 1888; and I congratulate the hon. Baronet the Member for Cockermouth upon the fact that the existence of these banners will, to a certain extent, diminish the expense that he and his friends have incurred in organising the demonstration. With regard to Petitions, of course I have presented any sent up by my constituents; but I must say that of two I presented the other day, I found one was from a Lodge of Good Templars, and the other from a Temperance Society in the same district, and when I looked at the signatures, I found that some of the members of the two Associations were identical, and that the two Petitions were, in effect, almost one. The House will remember the device resorted to in the minor theatres to produce the effect of the passage of a great army. A small number of supernumeraries pass over and over again from one side of the wings to the other, constantly crossing and re-crossing the stage, so as to produce the appearance of a great and imposing demonstration. I think the Petitions to which I allude are largely produced by means of a similar device. For my part, I believe the expense of these proposals to be enormously exaggerated. If I did not believe it I think I should be entitled to ask whether, because a thing is very valuable indeed, you ought to take it for nothing? I have heard from many an hon. Gentleman opposite, speaking from many a platform, statements as to the enormous saving to the community the closing of public houses will effect. We are told that our prisons will be emptied, and that the great and growing curse of lunacy will be diminished. And are we to be told that we are to postpone such reforms as these because we have to put our hands into our pockets? Let us have the courage of our opinions. If we are to effect these reforms let us be prepared to pay for them. I believe myself that if this Bill be carried it will be a great step in the right direction, although I cannot suppose it will be a final step. I believe public opinion, when it is rightly given, will be on the side of the Government. I say to them: "Be just, and fear not," and in that spirit I support the Second Reading of the Bill.

(4.34.) MR. RATHBONE (Carnarvonshire, Arfon): I am most anxious to urge upon the Government and the House the mischief they will do, if they deal with a small part of this great and difficult question, before they are prepared to deal with it thoroughly and comprehensively. I shall be able to show from past experience that when you have increased, as you will increase by the present proposals, the enormous value of the public houses, without taking precautions against that increased power and wealth of corruption being used to promote drunkenness, while you paralyse the law to prevent such abuses, you will seriously increase the very evils you are trying to diminish. On introducing the Bill, the Chancellor of the Exchequer promised that precautions should be taken to meet this danger. I fail to find in the Bill the effectual precaution promised that the enormously enhanced value which will be given to licences by the proposal of the Chancellor of the Exchequer shall not be brought in as a charge for compensation when the great question of licences comes up for settlement. The provision in the Bill, though not intended to be, is practically an insult to the intellect of the House. As the man in Scripture said "Be ye clothed and fed," the Bill says: "Be the evil pointed out prevented," but takes absolutely no precaution, takes no security that any precaution will be or can be taken against the evil admitted by the Chancellor of the Exchequer, and, indeed, patent to any one having the most elementary acquaintance with economic laws. And yet I shall be able to show before I sit down that the enormously increased value which the present action of the Chancellor of the Exchequer will give to the existing licences, is emphasising and increasing the very difficulty which has made the due enforcement of the law against encouraging drunkenness practically a dead letter. That neither the Chancellor of the Exchequer himself, nor even one having much less knowledge than he has of the laws which govern prices, supply, and demand, will deny that when you stop the creation of new licences, and buy up existing licences, you increase by millions on millions the value of existing licences, and thereby make it more difficult, if

not impossible, to put any legal check upon the spread of drunkenness. I would appeal to the Home Secretary, and to everyone who has really tried to go to the bottom of the subject, to say whether they have not found that the mere diminution of the number of public houses, if accompanied, as I shall show it has been, with the development of those left into gigantic gin palaces, and with a diminution in the power of checking the offences of permitting drunkenness, or, to speak more correctly, of encouraging drunkenness has the effect of increasing and not diminishing that dreadful evil. Many years ago, in conversation on this subject, in 1877, with the right hon. Member for Derby (Sir W. Harcourt), I assumed that the increase or diminution of drunkenness went hand in hand with the increase or diminution of licensed houses, independent of any other considerations. He brought me up with the question, "Have you ascertained that that is really the state of the facts; and is it not desirable that the true state of the matter should be ascertained before we proceed to legislate on it?" I felt the justice and force of the rebuke, and moved for the Return of the necessary statistics, in August, 1873, and on receipt of that Return, in the following year, I employed an experienced accountant to calculate and tabulate for me the statistics, so as to show the proportion of convictions for drunkenness to population, and the proportion of public houses to population, and how far the two went hand in hand together. The result astonished me, and everyone to whom I showed it. It appeared as if the fewer public houses the more drunkenness, and the more public houses the less drunkenness. But the hon. Member for Barrow (Mr. Caine) justly pointed out that it was not fair to deal with the north and south of England, or with urban and rural districts, or even with large and small boroughs, as on the same footing, inasmuch as the circumstances differed so entirely, both as to the temptations to drinking and as to the means of the population. I had the statistics re-cast into north and south, urban and rural. The figures were somewhat less striking, but still I would defy any clear headed man to deny that there is any apparent connection between the number of public houses

*Mr. Rathbone*

and the convictions for drunkenness. On the contrary, they would seem to show that the arbitrary reduction of the number of public houses in a town, without any strengthening of the precautions against those that remain using their increased wealth and monopoly to encourage drunkenness, increases drunkenness. I will further show the House why this is, and how this increased power of monopoly defeats the very object for which the monopoly was conferred, and has made the law a positively dead letter, powerless to prevent or punish the tempter in his deadly work. In these tables you will find that among the boroughs north of Birmingham, with a population of 50,000 and upwards, Norwich stands best, only having one conviction for drunkenness for every 451 inhabitants, whereas Blackburn has fewer public houses in proportion to population of any other town, and yet it has apparently three times as much drunkenness as Norwich, and compares unfavourably with other towns in the same trade as itself. For instance, Stockport, also a cotton spinning town, showed only half the number of convictions in proportion to population, but has 50 per cent. more licensed houses in proportion to population of Blackburn. I showed the table to Mr. Bruce, the author, as Home Secretary, of licensing legislation of the 1868 Parliament. He pointed out at once that averages were very deceptive, and set to work to compare places in similar localities, and places in similar trades. He took Sheffield and Birmingham, both largely engaged in metal work and hardware of various descriptions. We certainly expected that Sheffield, with its dangerous, and, some of them, unhealthy trades, would have vastly surpassed Birmingham in its convictions for drunkenness. We found, on the contrary, that whereas Sheffield had about the same number of public houses in proportion to population, Sheffield had only one conviction for drunkenness for 200 of its population; Birmingham had one to every 126, or nearly double. Mr. Bruce then took Leeds and Sheffield, as being towns in the same county. Well, among the 19 large boroughs in the North of England, Leeds comes second in order of merit, having fewer licensed houses in proportion to population. It had only one licensed

house to every 316 inhabitants, whereas Sheffield had 50 per cent. more licensed houses, namely, one to 179. On the other hand, while Sheffield had only one conviction to every 200 inhabitants, Leeds had one to every 164. I was so much struck with this contrast, that, without stating why I had required the information, I asked one of the largest and most intelligent of the manufacturers of Leeds, which had the most drunkenness, Leeds or Sheffield? He answered, without any hesitation, that he was sorry to say Leeds. Of course, there will be special circumstances which may affect individual cases, but if you go through the figures carefully, as I have done, it is impossible to escape the conclusion that the facts show no relation whatever between the amount of drunkenness in a town, and the number of public houses, when the numbers are reduced, as they have been in this country, without any efficient precaution against the abuse of the increased power and wealth given to the remainder. A single specimen case will show the House how this part of our legislation has hitherto worked. The House will then see that the mere arbitrary restriction of licences has in it no tendency to discredit drunkenness, but that, on the contrary, taken alone it makes difficulties in the execution of the law and has just the opposite effect. Stringent laws are useless if you make their execution practically impossible. I have been brought to these conclusions not merely by these statistics, but by a study of the subject of the working of the laws in America and England during the last 21 years, or over. Just one instance to show how the law works. Two years after the passage of Sir Selwin Ibbetson's Beer Act I received a letter from one of my constituents, a beer seller, living in one of the industrial quarters of Liverpool, complaining that the Magistrates did not execute the law justly between public houses and beer houses. He said, in effect—

"Sir Selwin Ibbetson's Act made my beer house licence worth £100, I committed an offence against the law, I was fined £5, the Magistrate endorsed it on my licence, and thereby reduced the value of it from £100 to £60. Having committed an offence, I have no right to find fault with the Magistrates' sentence, if the law is equally enforced between rich and poor. But the manager of a public house in the

same street committed the same offence—but the Magistrate went out of his way to say in a most aggravated form—he was fined the same amount of penalty as I was, £5, but the Magistrate did not endorse his licence. The public house belonged to a rich brewer owning many public houses. I ask you, is this fair?"

In my reply, I declined to give an opinion on an *ex-parte* statement. On my return to Liverpool, I placed the letter in the hands of a Magistrate, who took great interest in licensing and was an ardent supporter of the hon. Baronet the Member for the Cocker mouth Division of Cumberland. He said at once that he had not a doubt of the truth of the man's statement, but that the value of the public house licence was, at least, £1,000, probably several thousand pounds. The endorsement on the licence would have reduced its value proportionately, at least as much, probably more than with respect to the beerhouse licence. So that the minimum penalty which the endorsement would have inflicted on the owner of the public house would have been £400 for an offence which the law only punishes with a penalty of £5. But I urged the monopoly was created which gave this enormous property to this man, not simply to make him enormously rich, but for the sake of the order, sobriety, and welfare of the community, and surely he has no right to complain if some part of that enormous wealth should be forfeited if he violates the law and defeats the very object to secure which he was allowed to become thus enormously rich.—

"Very true," said the Magistrate, "they ought to have endorsed it, but you will never get any Bench of Magistrates to inflict a fine on a man many times greater, nay! in some cases many thousand times greater than that directly inflicted by the law itself."

I have shown you how the law works in an individual case. I will now show you the effect of the law in the mass. The convictions for drunkenness during the last three years, in Liverpool, were 13,601, 13,817, and 14,368, respectively, and the convictions for permitting drunkenness during those years were only six, seven, and six respectively, and, mark this, not one single offence of permitting drunkenness out of those 41,000 cases of permitted drunkenness, ay, and often encouraged drunkenness, was endorsed on either



public house or beer house licence. Will anyone in his senses say or believe that there were no such cases which ought to have been discovered and punished, and the more you look into it the more you will perceive that with the very wealth you have given the holder of licences, and which you are now proposing to pile on with the addition of millions, you have given him practical impunity in permitting and encouraging drunkenness. No one can wonder that this system demoralises alike the Licensed Victualler and his victim, or that, as I have been informed, the average time which the London Licensed Victualler, who manages his own house, remains in the business is not much over five years. In other words, the business is so profitable, or so demoralising, or both, that it only takes five years for those in the trade to make their fortunes, or to be too often ruined in both character and fortune. As it is very important that we should have accurate information, and as it is popularly believed that what is called the Liverpool experiment in open licensing caused Liverpool to have a more than ordinary number of licensed houses, and that it was owing to that that Liverpool had so many convictions for drunkenness, I beg to state that exactly the reverse of this is the case. Out of the 19 large towns, including Birmingham, there are only six which, by the Return I am quoting from, had so few public houses in proportion to population as Liverpool, while 12 of these large towns, which is double that number, were shown to have more public houses in proportion to population than Liverpool. As to drunkenness, there was some increase of drunkenness during the three years the experiment was continued, but during the last year of the experiment the convictions for drunkenness in proportion to population were rather less than during the year which preceded its initiation. I am sorry to say that the increase of drunkenness after the close system was renewed was most serious; but no doubt that was in part, at least, and indeed largely, owing to the prosperity and high wages of that period. I shall now, however, proceed to show another instance that, where the Magistrates did not allow the value of the licences to interfere with the strict administration

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of the law, they were able largely to prevent the demoralising influence of that period of prosperity. I will refer those who wish to study this question to the evidence before the Lords' Committee on Intemperance, of my brother who was for many years Chairman of the Visiting Justices in Liverpool, who took an active part in upsetting what was called the open licensing experiment in Liverpool, but who, as he gained more experience, became convinced that we must look to diminishing the number of licences rather to strict provisions against permitting drunkenness, and their strict enforcement, than to their arbitrary reduction without such precautions. In a district adjoining Liverpool, called Garston, with a similar population to Liverpool dock labourers, quarrymen, whose work is rough and uncertain, and a population therefore difficult to deal with, there the Magistrates have taken a course which I think the result has proved to be the right one, which has restricted the number of public houses by making it impossible for the publicans to carry on a drunken trade. I refer anyone who is interested in this question to the evidence of Mr. Robert Neilson, for many years the Chairman of the Licensing Committee of the Prestwich Division of Lancashire, given before the same Lords' Committee on Intemperance. They will find most conclusive evidence of the necessity and efficiency of the precautions for which I contend. The Committee in question were not likely to be reckless invaders of the licensing property. Their Chairman was a Conservative, one of their most active members was the Deputy Chairman of the Lancashire Quarter Sessions, a Conservative, and a shrewd and able lawyer. They continued for many years the system of restricting the number of licences simply by shutting out public houses which were promoting drunkenness and disorder. When a man came for a licence, if his character was unimpeachable, his house a proper one, and properly situated, they gave him a licence, but on the understanding that without any definite number of convictions they would refuse to renew his licence if he permitted drunkenness or allowed disorderly characters to assemble at his house; and they acted courageously, as I con-

tend every Magistrate ought to act, upon this principle. For, surely, if a man acts so as to defeat the very object for which this great property is given him, the very least you can do is to withhold continuance of the abused privilege. Well, the result was most satisfactory. At the very time when we were deploring the increase of drunkenness and disorder in Liverpool with its close system, the Chief Constable of the Prestwich Division, including Garston, with the same rough population of dock labourers that we have in Liverpool, and of quarrymen, and unskilled and casually employed labour, and this, remember, in prosperous times affecting both districts alike, reported from year to year a marked improvement in the management and conduct of the public houses in the district and a marked diminution in drunkenness and disorder. A confirmation of the evidence which you will find in the Report of the Lords' Committee on Intemperance was given me most unwittingly, but most straightforwardly, by a most unbiassed witness, and one who did not see the force of the evidence he was giving. My hon. Friend the Member for Barrow told me that he must send the Secretary of the United Kingdom Alliance to examine into the statements made by the Chief Constable. I was very glad that he should do so, as we all want only the truth, and he kindly directed the agent to see me on his return and report the result of his inquiries. The first words the agent spoke were, "You are quite wrong, Mr. Rathbone; there has been no increase at all in the number of public houses in Garston or its neighbourhood." I never said there had; but I asked, "Has there been no such change as has taken place in Liverpool? Has not the small public house blossomed out into the flaring gin palace, with its numerous entrances, its plate glass windows, and various attractions? Well, then," I said, "as to the improvement of drunkenness and disorder." He admitted there had been a great improvement in the order of the district and a great diminution in the cases taken up for drunkenness; indeed, so great had been the change that a solicitor who used to attend the Petty Sessions of the district had ceased to attend from lack of cases. But he attributed it to the establishment of a

police station in Garston, for he said that the ministers of religion stated that the improvement in disorderly habits had not been accompanied by any improvement in the drinking habits of the population. Well, as we had as powerful a police station as that at Garston, I cannot help thinking that the practised eyes of the police and the judgment of an experienced superintendent are more likely to have been right than the ministers of religion, whose feelings must be constantly excited and outraged by the large amount of drunkenness still remaining. And I told my Friend that he had completely proved my case by finding that the Prestwich Magistrates had been able to control the increase of licensed houses and greatly improve their management by simply strictly enforcing the law against permitting drunkenness. But the experience of this subject is not confined to this country. In other countries they have found that the worst system of all is one that gives the evils of monopoly without those precautions which monopoly is intended to secure. I found that in Sweden they had been persisting for over a century in trying to reform drunkenness by the simple reduction of the number of public houses without taking the precautions that I contend for. From 1,200 drink-shops in 1793, they reduced them to 700 in 1847 and to 500 in 1850; and in 1876, when I inquired, there were only 280 houses licensed to sell for consumption on the premises, and 30 for retail consumption off the premises. But to my question, "Have these measures attained, or brought you nearer attainment of, the desired object?" the reply was, "No, on the contrary; the number of cases punished has increased from 1 in 88 of the inhabitants in 1851 to 1 in 46 in 1874." And they were then proposing the adoption of the Gottenberg system by which the monopoly in the sale of drink would be practically in the hands of the public and for their benefit. And now, Sir, having pointed out the want of success of a mere arbitrary diminution of public houses without precautions, may I point out what can be done, according to our own experience, if the Magistrates are empowered and willing to enforce penalties on permitting drunkenness. During the time Mr.

Bruce's Bill was at work, and before its provisions were weakened by Mr. Cross's Licensing Act, a very respectable man consulted me on behalf of a friend of his, evidently a respectable licensed victualer, with a public house in a most respectable neighbourhood. His friend told me that he was tired of the trade and wanted to get out of it, for he could no longer carry it on with the same advantage as before; that since the new Inspectors had been put on, the police had increased their vigilance, the Magistrates had become stricter, and the publicans were no longer allowed to sell drink to men who had had too much, without fear of an endorsement on their licences; and that this alone had reduced his takings by £700 a year. Consider what an amount of evil and demoralisation preventable under the present law, if strictly administered, that £700 a year represents. Consider the benefit of such strictness applied to those parts of the town where drunkenness prevails and a drunken trade is more unscrupulously carried on. The admirable Stipendiary Magistrate, Mr. Raffles, and the experienced Chief of the Police, Major Greig, of Liverpool, both stated in evidence that the system of Mr. Bruce's Bill of minimum penalties and endorsing licences was most salutary and ought not to be altered, nor ought the introduction of hours from 7 p.m. to 11 p.m., nor had there been any invasion of the right of property; on the contrary, in 1869 127 public house licences were forfeited; in 1873 only 13 were forfeited. The reduction in the forfeitures in beerhouse licences were still more striking. It showed that the direction which I contend ought to be proceeded in was that in which Mr. Bruce's Act had proceeded, for the improvement caused by that Act arose from the increased care and attention to avoid infractions of the law from the more preventive effect of a severer law which was, therefore, required to be less often put in practice. And yet I regret to say that with this evidence before us those precautionary regulations were weakened by Mr. Cross's Act, with the results which we all deplore. I am afraid I have detained the House much longer than I could have wished in trying to connect cause and effect as far as they can be

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deduced from practical experience. I will only ask permission to state in a very few minutes what I consider should be the course of the Government in the House. Pass, if you like, a suspensionary clause limited to two years till you can collect the necessary information, and then carefully consider how we can best deal with the whole question. Do not go on, as we too often do, with this haphazard, piecemeal legislation before we have collected and digested the matter necessary to enable us to legislate wisely and well. Let the Government in the meantime carefully collect, with the aid of the most acute minds whose services they can command, all the experience that can be procured on the subject. Take, for instance, the United States. They have tried almost every experiment in licensing, in local control, and in prohibition. Why should you not send to the United States a man with the acuteness of mind and freedom from prejudice of my friend Mr. R. S. Wright—I give him merely as the kind of man whom you ought to send—and let him collect from men of all sides and parties the results on their minds of American experience. You will not find, probably, any perfectly successful experiment; but you would be able to obtain for yourselves and lay before the country many useful hints of what could be done practically, and still more useful experience which would clear out of our way experiments which may have proved impracticable, or may require careful adaptation to varying circumstances. This course will, without inflicting discredit on anyone, avoid the frightful danger of making alike the reform and the administration of the law more difficult than it is already. And in the meantime the Magistrates, who will have had warning that their lax administration of the law will be no longer tolerated, will shut up 10 disreputable public houses for one which the means you are placing at the disposal of the County Councils and Local Authorities by your present proposals would enable you to close.

(5.20.) MR. ELLIOTT LEES (Oldham): The hon. Member who has just spoken has given us some interesting statistics respecting public houses in

Liverpool, but I do not think his argument was very germane to the question which is now dividing Parties; and I imagine he stands almost alone in his belief, certainly almost alone in this House, that by increasing the number of public houses you will reduce the amount of drink consumed.

MR. RATHBONE: I must really correct that statement. I never said anything of the sort. I said that in itself the increase of public houses was not so great an evil; the evil was in permitting them to carry on a disorderly trade with impunity.

MR. ELLIOTT LEES: I am sorry I misunderstood the hon. Gentleman. I thought he was advocating what is popularly called Free Trade in drink. I will leave the question affecting Liverpool to be dealt with later on. I must protest against some of the tactics pursued by some hon. Members belonging to the extreme Temperance Party. I, in common I dare say with many Members, have received many letters protesting against the attempt of the Government to rush this scheme through the House of Commons, and it was a letter by the hon. Baronet (Sir W. Lawson) that created the impression that such an attempt was being made, that a Bill printed on Friday was to be read a second time on Monday. Now this was hardly fair on the part of the hon. Baronet and his Friends. When our constituents are told that a Bill is set down for a certain day, they, not being conversant with our methods of business, not unnaturally imagine that the Bill is to be taken on the day named, but the hon. Baronet must have known that such a Bill, being placed low down on the list of measures, had no possible chance of coming on. Ample time was given, as we have all found, in ten days for the hon. Member for Barrow (Mr. Caine) and his friends to set their disciplined and obedient organisations to work, and, as the result we have leaflets, resolutions, letters, and telegrams, all protesting

against the Government proposal. But there is no very clear idea among the many as to what that proposal really is. There are many who think that it is a revival of the proposal originally embodied in the Local Government Bill, and I have seen letters from constituents demanding that no ratepayers' money shall be devoted to compensation of publicans. Of course, it is a completely different proposal in the present Bill. I am very sorry that hon. Members should have adopted the line they have followed on this occasion, because I do not think a better opportunity could be offered to friends of temperance, among whom I reckon myself, to carry out a temperance reform. Look at the state of Parties in the House. Hon. Members on the other side, almost to a man, received the support of the Temperance Party on their elections. I do not think the Temperance Party have been quite wise in their generation, in declining to take the offer of the highest bidder, and letting it be understood that no matter how friendly a Conservative might be known to be to the cause of Temperance yet he would not have the support of the Temperance Party. Yet so it is; the Teetotal Party gave their support to hon. Gentlemen opposite, but there is scarcely an instance of that support having been given to a Member on this side. If we had a Radical Government introducing a Bill like this, a Bill which goes further in the direction of temperance reform than was hoped for by friends of temperance a few years ago. A Bill which, recognising a certain amount of local control over the granting of licences, provides, and not by general taxation, for the gradual extinction of unnecessary licences was almost beyond the hope of practical politicians a few years ago; if such a scheme were introduced by a Radical Government it is only human nature to suppose that a great many Members on this side, who hold no very strong views on this question, would have offered it strenuous opposition. It is a difficult thing to carry a measure of this sort, but it would have been especially difficult for a Radical Government of the day, because of the strong opposition they would meet with here. But as it is, there are many who, occupying a neutral position in regard to temper-

ance questions, give their ready support to the proposal introduced by the Government in which they trust. If we only had the support of temperance advocates on the other side then we might carry the Bill through the House without difficulty and with rapidity; in another place it would meet with little opposition, and a great deal would be done for the cause of temperance. The hon. Member for Barrow said if the Church of England Temperance Society would introduce a Bill upon the lines of their scheme for settling the reduction of licences, the friends of temperance would not oppose it. The suggestion of the society is that the licence holders' interest should be the only interest recognised, and that only for a period of ten years. Their argument is that the licence holder is the only person whom the law should recognise; that he has no legal but only an equitable claim to compensation, and that if there are other claims behind him they must be settled by agreement between themselves. Now, Sir, that is a compensation on a limited basis, as put forward by the Church of England Temperance Society, and I should like to know what difference there is between that proposal and the proposition of Her Majesty's Government. Both involve the principle of compensation, which can be affirmed by the Second Reading of this Bill. The detail is a question for Committee and not for the Second Reading. If, therefore, those were the opinions of the hon. Gentlemen opposite they might very well support the principle of compensation or "marketable value" on the Second Reading, and endeavour to alter the details in Committee. The hon. Member for Barrow and others have made a very remarkable admission. They protest against compensation at all, and yet denounce the smallness of the provision made by the Government under the Bill. Surely these arguments defeat each other. I should like to make a suggestion to the hon. Member and his friends. They remind me of a story of the plough boy, who, when seen crying over his bowl of porridge, was asked what was wrong, and replied, "It's thick and nasty, and full of lumps, and there aint half enough of it." Hon. Members have taken up a similar position with regard to the proposed donation of £350,000 by the Chan-

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cellor of the Exchequer. They say the Government scheme is thick and nasty, and full of lumps, but their greatest grievance is that there is not enough money offered. If they wish to show their practical sympathy with the cause of temperance, and are willing to do so in the way in which an Englishman believes it may most genuinely be shown, there is a way in which, I think, they may do it. Hitherto there has been little use in buying up licences, because there has been no security that new ones will not be issued. Now, no new licences are to be issued, and it will be possible to reduce the number by buying up existing licences. Here is a chance for private benevolence. Let hon. Gentlemen, who do not mind some sacrifice in the cause of temperance, show their sincerity in trying to reduce the evil by paying for it. Let them start a fund to augment the Government Fund for the purpose of buying up licences. Such a fund might be well supported all over the country, and if one is started I will promise to contribute as much as my means will allow. Some hon. Members say they cannot endure the principle at all. They object to any tampering with the accursed thing, and will not pay a penny to reduce the evil. That is a theory to which I can never consent. I believe it to be a theory of national dishonesty, and I would rather see a nation of drunkards than a dishonest nation. Everyone must admit that the publican has an equitable right in his licence, because it is marketable, and it is admitted to be legal to value it for probate. To speak in the language of logic, I believe the publican has no deductive right to assume his licence will be renewed, but, undoubtedly, he has an inductive right. The renewal is not a mathematical certainty, but it is a moral certainty, provided his house is a moral house. I believe the whole sense of the country would revolt against any general measure of confiscation. Here you have men carrying on a respectable business, sanctioned by the State, and if those men are to be turned out at a moment's notice they will be quite unable to get their living, and yet will have to support their wives and families. What worse fate could overtake the drunkard himself. No opinion on the

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will reduce the number of houses, and  
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duce to the sobriety of the country, that  
I am going to support the Second Read-  
ing. It is true that it will, to some  
extent, increase the monopoly which will  
be possessed by such licence holders as  
remain; but they will be the most re-  
spectable class of publicans, and it is as  
unfair to compare them with the dis-  
reputable publicans as it is to compare  
bankers with usurers. I shall vote for  
the Second Reading upon these grounds,  
and because I believe the Bill will con-  
duce to the increase of temperance, and  
that it will prove a great measure for the  
advancement of the sobriety of the na-  
tion.

\*(5.45.) Mr. BRYCE (Aberdeen, S.):

I think that the Government may be  
congratulated on the fact that the debate  
has been conducted with an absence of  
Party feeling, and that there has been  
no imputation of motive on either side.  
I hope no remarks of mine will disturb  
that amicable temper. I give the Govern-  
ment full credit for having introduced a  
Bill in what they conceive to be the  
interests of temperance. I cannot see  
why, otherwise, they should take up  
such a thorny question, and be prepared  
to spend so much time upon it, at a  
critical part of the Session. They ought  
to have taken warning from what  
occurred two years ago, and to have  
realised that the opposition of hon. Mem-  
bers to the principle embodied in this  
Bill has been since strengthened rather  
than weakened. Now, I want to discuss  
the question coolly. I do not assume  
that the publicans are necessarily sin-  
ners, and that they ought to be the  
victims of confiscation. By all means  
let us deal fairly with them. But do  
not let us forget that there are two sides  
to the question, and that it is possible to  
rob the public instead of the publicans,  
by placing upon them a burden of com-  
pensation where none is due. Those  
who advocate compensation ought, there-  
fore, to make out a case for it, but though

to the speeches from the Government Benches, I failed to hear a single argument which formed sufficient foundation for the claim a compensation. The Solicitor General, last night, attempted to show that in the case of *"Sharp v. Wakefield"* the Court had not decided what it thought it had, and that the decision was really one in favour of the holders of licences. To-day we have had four elaborate speeches from supporters of the Bill, and yet I have not heard anything, except one remark from the hon. Member for East Grinstead, tending to show that the claim for compensation is well founded. Now, is there any legal right to compensation? I say legal right, because I shall presently admit that there may be grounds for a plea for compassionate treatment, for some sort of indulgence which would enable licences to be more quickly reduced and with less friction than if they were simply withdrawn. I ask, then, if there is any right capable of being enforced in a Court of Law? It surely cannot be argued that a licence is property, considering that the tenant of a public house holds the licence only for one year. To assert this would be to say that a tenant from year to year is to be treated like a freeholder. It is suggested that property is proved by the fact that the licence is valued for probate. I should like to learn from the Government what is the largest number of years for which allowance has been made in calculating probate in such cases. Is it three, four, five, or six years? Surely the Government would scarcely venture to claim compensation for publicans on any greater scale than that allowed for the purpose of probate valuation. The hon. Member for East Grinstead has argued that compensation ought to be granted because when houses are taken in the making of a public improvement some special value is allowed for a licensed house. But we all know the laxness of arbitrators and of juries in awarding compensation in such cases. Moreover, in such a case compensation is awarded on the basis of the profit made during the last few years. But it may happen that, immediately after the valuation, the property becomes greatly depreciated in value,

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perhaps by the opening up of new thoroughfares or the removal of large works. These are unpredictable events, which may involve loss to the licence holder. So is the withdrawal of the licence. Compensation is no more due for the one event than for the other. The publican takes his licence with the possibility that it may be withdrawn, and I submit he is, therefore, not entitled to compensation on the withdrawal. If the claim cannot be rested on property, can it be rested on the ground of interruption of trade? The liquor trade is like no other trade, because no man can practise it without obtaining the special favour and indulgence of the State; and the value which the trade possesses is entirely due to this indulgence, because the trade is *prima facie* unpermitted. Then, can the publican whose licence is taken away, be said to be in the position of the man whose goodwill is taken away? If we take away the goodwill of any particular business, in ordinary circumstances, we make compensation for it. The case of a publican would fall under the general rules. But what is the fact? Supposing the Magistrates grant me a licence for a house worth £1,500. The value of my premises immediately jumps up from £1,500 to £3,000. Who has given me the benefit? The State, without any act of my own. It is so much unearned increment, yet we are told that the State ought to compensate the person on whom it has conferred the increment, when it takes that increment away. That is asking the State to pay a man for taking back what it has just given. What reason is there why the State, having doubled the value of the premises, should be prevented from reducing those premises to the position in which they were before they received the licence? It is said that the holders of licences have formed a reasonable expectation that they will receive compensation, and upon that expectation they have based their claim to compensation. My answer to that is, that they have had ample notice that this compensation would be disputed. Ever since the year 1871 it has been well known that it would be a controverted question. Let me put the case from another point of view. My hon.

Friend (Mr. Rathbone) who spoke just now referred to the free licensing system which was at one time practised in Liverpool. It is clear that the value of public house property would be enormously diminished by the free grant of licences. If there are 1,000 licensed houses in a town and the Magistrates treble the number, it is quite clear that the value of the existing houses is immediately and heavily depreciated. Has anybody ever suggested that the owners of licences in that instance should be compensated? In fact, it has been suggested that if we want to deal with this question with a perfectly clear conscience all we have to do is to increase the number of licences until the value of existing licences is reduced to a point at which the payment of compensation would become a comparatively easy matter. I only mention that for the purpose of showing how untenable is the contention that there is a legal vested interest in these public house properties. In America they have tried every possible experiment with the liquor traffic. There are in that Republic 38 commonwealths, each with full authority to try any experiment as regards the regulation of the liquor trade within its own limits which it pleases. There is no country where the extreme Temperance Party is so strong and has so often gained control of the Legislatures. Every State of the Union, besides, carefully protects the right of the citizen to compensation when his property is taken for public purposes. What in England rests on usage, embodied in Statutes, in the United States has all the irresistible and unvarying authority of a written Constitution. You would naturally suppose that questions of compensation must have arisen either in regard to prohibition or diminution of the number of licences, or the traffic in liquor between one State and another, but I think I am right in saying, having taken all the pains I can to ascertain, that there is no case in which compensation was ever awarded, either to the liquor seller or to the brewer or distiller, in respect of stopping or regulating his trade. When we consider how numerous must have been the cases, and how complete is the protection which the Constitutional system of that country

gives, I think it is a very strong argument in favour of the doctrine that there is no legal right in these matters. Whether we look at the matter as a question of purchase of goodwill or as a question of property, I fail to find any legal ground for giving pecuniary compensation. I do not deny that there may be other reasons, and of a different character, which may make it desirable to award something to holders of licensed premises whose licences are taken away. I put that on two grounds, which may have some weight separately, and which, conjoined, certainly possess weight. One ground is that it will very much facilitate the withdrawal of licences if some sort of compassionate provision can be allowed to be made. There would be less feeling that a harsh and severe thing was being done, and I cannot doubt that the wheels of restriction or prohibition would, to some extent, be greased, if some such arrangement were made. But I do not propose to discuss this question now, because this Bill proposes compensation as a legal right. It is that, or it is nothing. We are told it is a small measure, but there is nothing so dangerous as to begin with these small measures, because you recognise a principle which may be made applicable to the whole value of this public house property, which, according to the calculations of the Licensed Victuallers, amounts to some £200,000,000 or even more. Therefore, this Bill is not an innocent Bill; it embodies a principle on which the sum of £1,000,000 a year or more would eventually have to be raised by taxation for the purchase of these licences, if they are to be largely withdrawn. The Government have been rather astute in interweaving with this proposal for compensation other proposals which the House generally approves. We are entirely in sympathy with those portions of the Bill which relate to superannuation of the police and the extinguishing of school fees in Scotland. There is a strong and general wish in Scotland to complete the operation begun last year of putting an end to school fees. Yet of the many communications made to Scotch Members on this subject there has not, I believe, been a single one inviting us to take the Bill for the sake of getting free



education. On the contrary, the Scottish people would rather put up with the non-completion of the educational work than consent to the buying out of licences. The portions of the Bill which we support might be dealt with separately, leaving the compensation for licences to a later stage. The hon. Member who spoke last said the temperance movement was growing. Certainly the temperance vote and the strength of temperance sentiment in this House has enormously increased, even within the last 10 years. The tide of public opinion is, no doubt, rising steadily in favour of temperance, although it has not yet reached the top of the flood. I think that we on this side of the House, and hon. Members on the other side, who are as sincere advocates of temperance as we, would be wrong in accepting a proposal like this merely because it is the best that has yet been made, before we have made sure we cannot get a better. This proposal is less audacious, though not more workable, than that of 1888. The next proposal may be better still, and we should be throwing away the advantages we have gained by our action in 1888 if we accept a proposal which we conceive to be contrary to the opinion of the country, and calculated to do little or nothing for the cause of temperance.

*\*(6.17.) THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG, Wilts, Devizes):* The hon. Gentleman who has just sat down has certainly carried out his promise that he would do nothing in any way to alter the tone which has characterised this Debate; and I think the House will agree with me that the speech which we have listened to was one that has given pleasure and profit to the House, and I am most thankful to realise that the hon. Gentleman has talked about the Government Bill being a good Bill and the best Bill yet introduced to the House. If we cannot have the support of the hon. Gentleman, it is something to have his praise. The hon. Gentleman has asked for some information on the Probate

*Mr. Bryce*

Duty question; that will be given by another Member of the Government at a further stage of the Debate. With regard to the question of compensation, I submit to the House that the speech of the hon. Gentleman would have been a most valuable one, and would have required an answer in detail, had the question which we are now discussing been a proposal on the part of Her Majesty's Government to give an absolute compensation to the publicans for the removal of their licences. The hon. Gentleman, in the course of his remarks, has denied the existence of any legal right to this compensation being paid. Now, what this Bill proposes to confer upon the County Council is the right to purchase in the market what the Government contend is a marketable commodity, which is sold in the market frequently, daily, at the present time; to enter into the market as a purchaser of that commodity, and to buy that commodity with the money with which the Government provides them. We believe that that power will largely assist the cause which we have been told times without number hon. Members opposite have at heart, namely, that of temperance. Therefore, it is not desirable now to enter upon the hotly-contested question of the legal right of owners of licences to compensation. I desire, however, in passing, to supplement what has fallen from my right hon. Friend with regard to what we propose to do with the police. Anyone who is conversant with the conduct of their duties by the police in every part of the country will agree with me that their work has been admirably done, in circumstances often of peculiar difficulty; that their claims have been too long neglected, and that it is high time that this House should recognise their right to receive proper and adequate pensions. I now come to the second part of the

Bill, in which the Government propose to transfer money in aid of the local rates to the County Councils. I am glad that hon. Gentlemen, particularly on my own side of the House, have admitted that in giving this money in aid of the County Councils the Government have redeemed the promises which it has often been said we made some time ago. Turning to the licensing question, upon which we shall shortly be asked to vote, I desire to say a word or two with regard to what has fallen from the hon. Member for Barrow (Mr. Caine). I regret that the hon. Member is not in his place; but the hon. Gentleman has challenged a statement made by the right hon. Gentleman the President of the Local Government Board in a very decided way. I desire now to refer to that challenge. The hon. Member for Barrow has said that the right hon. Gentleman contended that his plan had secured the support of the Church of England Temperance Society, but that he, the hon. Gentleman, would point out that it had only secured, if at all, the assent of one of the Committees of that Organisation, and that he had no hesitation in saying that its main body would probably repudiate any such promise. Only a short time ago my right hon. Friend had received the following telegram:—

“Manchester Diocesan Executive of the Church of England Temperance Society request you to contradict Mr. Caine’s statement that the deputation to you was that of the London Committee only; the deputation was arranged for by the Central Committee, which is composed of representatives of every diocese in the country, and this executive cordially supports the action of the deputation.—CANON KELLY, Chairman.”

I think that that is a full and sufficient answer to the challenge of the hon. Member for Barrow. Amongst the many speeches which we have heard on both sides of the House I think that that of the hon. Member for the Ayr Burghs seemed to put the case for the

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Bill in the clearest possible terms. The hon. Member has referred to the fact that this Bill had received the support of all connected with the liquor trade, and his statement that manufacturers and sellers of liquor had adopted a resolution in support of the Bill had been received with some derisive cheers from hon. Members opposite. I do not know why that should have been so, because I do not think that anyone could believe that all those connected with either the manufacture or sale of liquor, or even its consumption, are men whose opinions are unworthy of consideration. No doubt they have a great interest in the matter, but then the State has not forgotten to lay a sufficiently heavy impost upon them, and they bear a large share of the national expenditure. Now, by this proposal they are called upon to pay an additional expenditure, a certain portion of which is to be spent in buying their own licences. Surely that is a moderate proposal, and those who are so closely concerned have the right to be heard. Anyone who came into the House and listened to the speeches which have been made on this Bill, would have arrived at the conclusion that the Government were proposing some great compulsory system under which all the licences in the country were to be bought up, and which would make it impossible in the future for Parliament to make any change. The Government proposal is nothing of the kind, but is a small and humble one; and I would earnestly ask those who in this House are led by the hon. Baronet the Member for Coker-mouth whether there is not time yet for them to re-consider the position they have taken up with reference to the Government proposal. Do they honestly believe that the passing into law of this Bill will really prevent the hon. Member for Coker-mouth, or the right hon. Baronet the Member for Bridgeton, from dealing with the question in time to come? [“Yes.”] Then their case cannot be anything like so good as they have led hon. Members on this side of the House to believe, and if all their plans are to be nipped in the bud by the passing of this Bill, all I can say is that they cannot be

the men that either they have led the country to believe they are, or that we on this side have given them credit for being. The right hon. Gentleman the Member for Bridgeton has been almost pathetic in speaking of this question, and has implored the House not to deal with it now, but to let him and his friends deal with it. If the Temperance Party will listen to a word from me, most respectfully uttered, I would say that they had better not wait for the time which the right hon. Gentleman has described, because if that time does arrive, then the right hon. Gentleman would possibly find other questions, in the completion of which he is supposed to have some interest, which would occupy his time to the exclusion of this question for a great many years to come. What I would respectfully implore the House and the Temperance Party to consider is, whether this is a step in the right direction, whether it is a step backwards or forwards? Is it a step which may be taken by men of different opinions, and which they can unite in taking on the common ground of holding temperance views generally; or is it a step which ought to be arrested at the outset? I think it can be shown that it is a step in the right direction, though it may not have the effect of exterminating the public house interest, or I should be the last to support it. The hon. Baronet the Member for Cockermouth (Sir W. Lawson) has never concealed his hostility to the publicans, and the publicans never expected any consideration from him except the consideration which the hangman bestows upon the criminal. But that has not been the view of hon. and right hon. Gentlemen opposite. I could quote from their speeches on this question at a length which would keep up the Debate for many a day to come. Hon. and right hon. Gentlemen will not deny that the majority of them have not voted for the Motions of the hon. Member for Cockermouth without expressing, in the most distinct language, that the question of the disturbance of these men ought to be considered. The right hon. Member for Derby (Sir W. Harcourt) is, no doubt, in a different position from his colleagues, because he was once a publican and a sinner, but he has now found salvation in the ranks of the hon.

*Mr. Long*

Baronet. I could quote abundance of passages from the right hon. Gentleman's speeches showing that he supported the right of the publicans to compensation. A speech of the late Mr. Bright has been published in the form of a pamphlet, and the views expressed by him on the general question, as well as the coincidence of his views with those of Her Majesty's Government are very remarkable. When Mr. Bright shadowed forth his plan as to how the question should be dealt with by legislation, and brought under the control of popularly-elected bodies, he proposed to devote some of the extra revenue to the relief of the police rate, and he did this because he said the trade and the police were cause and effect. The same proposal is to be found in the Bill of Her Majesty's Government. Mr. Bright was a man to whom we on this side of the House were accustomed to find ourselves in opposition. There was no body of men whom Mr. Bright opposed more than the so-called county Member class, to which I myself belong; but however much we may have disliked his policy, we never for a moment denied that he was a man of the highest honour and the greatest possible ability, and that his views were deserving of the attention of his opponents as well as his supporters. The views of Mr. Bright on this question are well worth the attention of the House and of those who wish to deal with the matter in an equitable and reasonable manner. Hon. Gentlemen who support the Amendment declare that it would be better to postpone dealing with the Licensing Laws, even in the limited manner now proposed, than to take a step which might induce the publicans to think that they had a chance of getting something for their licences; and they give as a reason for that opinion the crime and misery which are caused by the existence of public houses. Now, I would ask the House to consider whether it is fair to attribute solely to this trade all the crime and misery of the country, of which there is, and has been, a great deal; but which we are all thankful to know is decreasing. Is there nothing to be said of the insanitary condition in which these poor people live, and of the crowded dwellings and the miserable surroundings of the places called their homes from which they are driven to the public

house? Is it fair to saddle on the trade all the misery which results from various causes? What hon. Gentlemen suggest is that they ought to cast upon the publicans the whole burden of responsibility and saddle them with all the punishment; that on no account has the public house interest any recognised value, but that it is to be exterminated root and branch. That is not the view which we on this side of the House can take, and it is not the view which used to be held by hon. Gentlemen opposite. The hon. Member for Aberdeen (Mr. Bryce) has said that the publicans have no right to ask for compensation, because the question has been debated so long that the publicans have had their fate plainly displayed before them. I deny that that is the case. I doubt whether the hon. Baronet the Member for Cockermouth ever expected to find some of the right hon. Gentlemen opposite acting with him on this question. The hon. Baronet will remember the time when some Gentlemen on the front Opposition Bench devoted a good deal of vituperation to his proposals, though they have suddenly discovered that they are his most ardent supporters. Though the publicans may have learned from those Debates and attempts at legislation that they would probably be placed under the control of the Local Authorities, and that their licences might be withheld, it is not likely that they also learned that they would be prevented from obtaining compensation for any loss they might suffer. They were thoroughly justified in that view, not by the opinions expressed on this side of the House, but by the opinions expressed by the leaders of a great political Party, who knew perfectly well that the persons interested in the trade would attach the greatest importance to what they said. I contend, therefore, that it is unreasonable to say that the public house interest ought to be prepared for their fate, and ought to submit to it with resignation. Sir, I end as I commenced, by saying that this proposal of the Government is not a large one. We do not suggest that we are dealing with the whole licensing question; but what we say is, this is a distinct advance in the path of temperance, while it does no injustice or wrong to a great trade.

There are hon. Gentlemen opposite who think it a disgrace to a Member of Parliament to say one word in favour of the Liquor Trade as a body. I am not afraid of saying a word on their behalf. I have had long experience of Members of the trade, and I have found them anxious to do their duty, to lead respectable lives, and to keep respectable houses. It is unfair that these men should be ticketed as if they were the reverse of respectable, and that the House of Commons should be asked to legislate against them as if there was nothing to be said in their favour and there was to be no defence of their rights. We object to the Amendment of the hon. Member for Barrow, because it would destroy our Bill. If it be the case that the law is as the hon. Member tells the House we are not changing the law. We are giving to the County Councils certain powers which they can exercise if they like, and which they need not exercise unless they like. At the same time, we contend that the proposal is a distinct advance in the direction in which all people now desire to go; and we recommend it to the House with absolute confidence, because we believe, if passed into law, it will prove beneficial, helpful, and useful to all classes in the community.

Debate further adjourned till Thursday.

#### SUCK RIVER DRAINAGE (PROVISION OF FUNDS) BILL. (No. 236.)

Read the third time, and passed.

#### PAUPER LUNATIC ASYLUMS (IRELAND) (OFFICERS' SUPERANNUATION)

BILL. (No. 130.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

Question proposed, "That Clause 1 stand part of the Bill."

(6.47.) DR. TANNER (Cork Co., Mid): I really think that the hon. Member (Mr. Johnston) in charge of this Bill, should give us some explana-

tion of its provisions before it proceeds in Committee. If he is not prepared to show very good reasons in support of it, it will become my painful duty to move to report Progress. I hope the hon. Member, whose sterling worth we all recognise, although he differs from us, will give us some explanation of the measure.

**\*(6.49.) MR. JOHNSTON** (Belfast, S.): The object of the Bill is to place the attendants and officers of lunatic asylums in Ireland on a similar footing to what they are on in England, and to give a permissive power to Governors of asylums to vote superannuation allowances subject to the sanction of the Lord Lieutenant. It was introduced in a former Session, and went up to the House of Lords, but became a dropped Order there, in consequence, I am sorry to say, of my not communicating in time with a Peer, to take charge of it.

It being ten minutes to Seven of the clock, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again upon Friday, at Two of the clock.

**PHARMACY ACT (IRELAND) (1885)  
AMENDMENT BILL.—(No. 241.)**

**SECOND READING.**

Order for Second Reading read.

**\*THE ATTORNEY GENERAL FOR IRELAND** (Mr. MADDEN, Dublin University): I object.

**MR. SEXTON** (Belfast, W.): Does the Attorney General for Ireland object to the principle of this Bill? At present the occupation of 3,000 chemists and druggists is illegal, and this Bill aims at remedying the flaw in the law to which that condition of things is due.

**\*MR. MADDEN**: I am not prepared to say that I object to the principle of the Bill; but I do object to a Bill of this kind, on which there is a difference of opinion amongst those who are best  
*Dr. Tanner*

qualified to form an opinion on it, being taken at a time when it cannot be discussed, and before there has been time fully to consider its provisions.

**DR. TANNER**: I would ask the right hon. and learned Gentleman if he would take steps to ascertain what the difference of opinion on this Bill really is amongst those best qualified to judge, so that when it comes on again he may give us his most valuable assistance. So far as I have been able to ascertain from the Medical Profession in Ireland there is no objection to the Bill.

**\*MR. MADDEN**: I have a number of objections under my consideration at this moment. I, however, recognise that the subject is one which should be dealt with by legislation.

**MR. SEXTON**: The right hon. and learned Gentleman recognises the necessity for the Bill; therefore, as a consequence, he admits the principle of the Bill.

**\*MR. MADDEN**: I recognise the necessity for some Bill.

**MR. SEXTON**: Will he afford facilities for the Bill to be discussed, seeing that 3,000 traders are at the present moment outlawed.

**\*MR. MADDEN**: I conceive it to be my duty not to allow the Bill to be taken at present. I cannot hold out any hope that exceptional facilities will be afforded for the consideration of the Bill.

Second Reading deferred till Thursday.

**EVENING SITTING.**

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at five minutes  
after Nine o'clock.

## HOUSE OF COMMONS,

*Wednesday, 14th May, 1890.*

## MOTIONS.

## ASCENSION DAY (COMMITTEES).

Motion made, and Question proposed,  
 "That Committees shall not sit To-morrow,  
 being Ascension Day, until Two of the clock."  
 —(*Mr. William Henry Smith.*)

(12:28.) *SIR G. CAMPBELL* (Kirkcaldy, &c.): I do hope that this Government will not press this Motion, and waste the time of the House and of the Committees. Though "Ascension Day" is not a part of my Presbyterian 'doxy, I can quite understand that some people in this country may think it desirable that Committees of this House should not meet on that day. I do not, however, think there is any considerable desire on the part of hon. Members that Committees should not sit to-morrow until 2, seeing how anxious we all are to make progress with the surfeit of work before us. If any Members on particular Committees desire that they should not sit until 2 o'clock I have no doubt the Chairmen of those Committees will yield to their representations and adjourn accordingly. We shall shortly be adjourning over another saint's day—the Derby Day—and though I admit that going to church on Ascension Day is an innocent amusement and not on the same footing as going to the Derby, I think that as only a limited number of Members are likely to desire to go to church the Government should not press the Motion.

\*(12.30.) *THE FIRST LORD OF THE TREASURY* (*Mr. W. H. SMITH*, Strand, Westminster): I am very sorry the hon. Baronet has occupied so much of the time of the House in opposing this Motion. It is one which it is my bounden duty to propose, and it is a Motion that has been made in this House from time immemorial. I would point out to the hon. Baronet that it is a question which only affects the functions of Members of this House who are appointed to serve on the Committees of the House for the

purpose of considering matters in relation to Private Bills. I trust the hon. Baronet will see that the Motion does not in any way infringe on the time of the House itself, and I think I may add that it would be exceedingly hard upon Members of this House who may desire to avail themselves of the ordinary services of their church on Ascension Day to prevent them being able to do so by reason of their compulsory attendance on a Select Committee. I trust the hon. Baronet will not persist in opposing this Motion, but will allow the time of the House to be saved by permitting the Motion to be carried.

Question put, and agreed to.

Ordered, That Committees shall not sit To-morrow, being Ascension Day, until Two of the clock.—(*Mr. William Henry Smith.*)

## ORDERS OF THE DAY.

AGRICULTURAL LABOURERS  
(IRELAND) BILL.—(No. 4.)

## SECOND READING.

Order for Second Reading read.

(12.33.) *DR. FOX* (Tullamore): I rise for the purpose of moving the Second Reading of this Bill. The right hon. Gentleman the Chief Secretary to the Lord Lieutenant, in introducing another measure, stated that the time had come when something of a practical nature might be done for the benefit of the labourers of Ireland, and he propounded a scheme which we who claim to know Ireland a little better than the right hon. Gentleman regard as purely experimental. We object to that scheme because we believe it is not likely to succeed, and we object to the employment of Irish funds for any experiment of the kind. We claim that if the right hon. Gentleman wants to experiment he should experiment not with Irish but with English money, and we also claim that we have proved by the Bill we now propose that we are as ready as he to do something for the labourers of Ireland, though with this difference, that we want to do something of a practical and tangible nature, and to spend the money for the benefit not only of the Irish labourers

but the Irish tenants generally—the Irish shopkeepers, and even the Irish landlords. I find from the Report furnished to this House in 1888 the number of cottages applied for amounted to 19,860, while the number authorised up to that date was 9,552. Of those the number actually erected was 3,172, the number then in progress was 1,792, and the estimated cost was £934,480, the amount sanctioned by the Treasury being £820,997. This clearly shows that there is in Ireland a great demand for labourers' cottages, and also that under the existing law those cottages have not been supplied. It necessarily follows that there must have been some grave defect in the mode of procedure, because whereas the number of cottages applied for was 19,860, the number authorised to be built was only 9,552. I will, however, in order to illustrate my argument, take the case of one or two specific Unions. In the Union of Tramore there were 287 cottages applied for. The number authorised to be built was only 83; of these, only 63 were erected, while 12 were in progress. The estimated cost of these cottages was £861, and the amount sanctioned by the Treasury was £8,580. This money was to be obtained at an interest of  $3\frac{1}{2}$  per cent., which would amount to £4 9s. 2d. on every £100 borrowed. I next take the case of Nenagh. There the number of houses required was 262, which were obtained at an average cost of £132, entailing an amount of interest of £1,400 per annum. The income obtainable from the rent was about £630, leaving the large balance of £770 a year to be met by the taxpayers. Those figures do not include an estimated cost of about £50 per annum for the repair of the cottages. Well, Sir, I think I have shown that there is a great demand for labourers' cottages in Ireland. That has been admitted by all Parties of this House. I have further claimed that the demand for those cottages is not met by the present law. I also claim that there is a grave defect in the law, because there is no compulsory power to do more than lease land in such cases, whereas we contend that there ought to be a compulsory right to purchase land at a fair valuation. Another point I should like to put before the House is this: that

*Dr. Fox*

while you say you are benefitting the labourer, you are, at the same time, imposing heavy taxation upon the taxpayer. We say that, inasmuch as the money you are proposing to deal with is Irish money, you ought to give us the chance of doing what we like with our own; and I put it to the House, in what better way could the surplus fund of any nation be employed than in benefitting the people? I will not detain the House further, except to say that the admissions already made by the Chief Secretary have rendered it quite unnecessary for me to further recommend this Bill. The right hon. Gentleman admits that his measure is a purely experimental one, and it is surrounded by grave difficulties. That admission he has made again and again. I ask him whether, under these circumstances, we ought to be called upon to pass a measure for the expenditure of Irish funds in a way which we do not believe will be beneficial, but which we do believe will inflict great loss upon the Irish people. On the other hand, the Bill which we now propose, although a small measure, is one which we believe will be devoid of all danger, and of advantage alike to the labourers, the general taxpayers, the shopkeepers, and even the landlord himself. I have great pleasure in moving the Second Reading of this Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Dr. Fox.*)

(12.40.) MR. J. O'CONNOR (Tipperary, S.): My hon. Friend has been exceedingly brief in the remarks he thought it necessary to make in introducing this Bill to the notice of the House. I commend his action in that respect and shall follow his example. I shall, therefore, be brief in performing the duty of seconding the Second Reading of this measure, because I believe that the House for the past eight or nine years has heard all the arguments that could possibly be adduced in favour of this measure. Year after year we have felt it to be our duty to introduce measures for the purpose of ameliorating the condition of the Irish people, and year after year those measures have met with the hostility of the Government, and the condemnation of this House,

that condemnation having been shown by the rejection of those measures. Hence it is that we have come to the resolution that we ought not to weary the House by prolonged arguments in favour of this Bill. Measures like this we shall briefly introduce; we shall ask the opinion of the House upon them, leaving it to the House, should it think fit, to follow the example of previous Parliaments, and throw those measures into the waste paper basket. I notice that the hon. Gentleman the Member for South Belfast (Mr. Johnston) has a notice on the Paper for the rejection of this Bill. In his Motion he points out that the Church Surplus Fund is already hypothecated for the purposes of the Irish Land Purchase Bill, and is, therefore, not available for the purposes of this measure. Now, Sir, Agricultural Labourers' Acts have been passed in this House before, and this Bill is a measure intended to facilitate the operation of those Acts; it seeks to use the National Fund in Ireland for that purpose—a fund to which the Irish people have an undeniable right. Doubtless, the hon. Member for South Belfast will be glad to have the Church Surplus Fund go where so much has gone before, namely, into the pockets of his friends the landlords. It is not many years ago since the leader of the former Conservative Government, Lord Beaconsfield, gave a million of that money to the landlords of Ireland, or rather lent it to them at an interest of  $1\frac{1}{4}$  per cent. The people of Ireland have for many years been relieved of the necessity and burden of supporting that institution, and surely the people of Ireland, and more especially the labourers, ought to be entitled to the residue of that fund, taking into account that the landlords have received so much from us already. I object to the remnant of that fund being devoted to the purposes of the Land Purchase Bill, and I claim it for the labourers of Ireland who are entitled to it. With regard to one clause of this Bill, which states that the price to be paid should not exceed 20 years' purchase, I would point out that that proposition is based on one made by the Chief Secretary, who has made it the maximum of the price to be paid for the land. This, I think, is quite enough to convince the mind of any reasonable man. I shall conclude my few remarks by

stating that the labourers of Ireland are a very improving class of people, and of this I will furnish an illustration to the House. I have the honour to represent a portion of Ireland well-known to the hon. Member for Huntingdonshire. It is not long since, under the operation of the Labourers' Act, the Board of Poor Law Guardians built a number of labourers' cottages in a district with which he is well acquainted. They are sound, comfortable dwellings. The labourers were brought out of the huts and hovels they had formerly occupied on the estate of the hon. Member, and put into these dwellings, where they lived very comfortably. A short time ago, on a fine summer's afternoon, I was driving amongst these people, and I went into a number of the labourers' cottages. Although I was pleased with many things I saw, there were many others that were not very satisfactory to me. I was accompanied by my friend the Chairman of the Poor Law Guardians (Mr. Dalton), and I said, "I will give a prize of £5 to the occupier of the best kept cottage of the Union." Well, Sir, that offer was announced in the paper, and the result was that in many cases the manure heap was removed from the front to the back of the dwellings, and the price of geranium pots went up in the district. In point of fact, the houses bloomed internally and externally into flowery garden plots. I claim, Sir, on behalf of the labourers of Ireland, that they are an artistic and floral people if you only give them a chance; and if the hon. Member for Huntingdonshire only paid as much attention to the duties belonging to his position as he does to the enforcement of its rights he might have his estate in Tipperary one of the most beautiful in the three Kingdoms. If he did this instead of enforcing his rights, and encouraging other landlords as bad as himself to enforce their rights, there would not be a more picturesque portion of these realms. If the labourers of Ireland only had fair-play and due encouragement, such as we ask this House to give by the passing of this Bill, we should have among the labourers of Ireland a thriving and prosperous community, and be the means of preserving a very useful class of people. I have great pleasure, for these reasons, in



seconding the Motion for the Second Reading of this Bill.

\*(12.50.) MR. JOHNSTON (Belfast, S.): I rise, Sir, for the purpose of moving the Amendment which stands in my name, namely,

"That, inasmuch as it appears from a Return laid upon the Table of the House that the present value of the Church Surplus is insufficient to cover both the charge imposed on it by 'The Land Purchase Bill, 1890,' and the additional charge of £1,500,000 for the purpose of erecting labourers' cottages, and as the Land Purchase Bill, which has been read a second time, provides special facilities for improving the dwellings of labourers, this House declines to sanction a proposal which will deprive the population of the poorest portion of Ireland of the funds requisite for ameliorating their condition."

In moving this Amendment I shall follow the example of brevity set by the Mover and Seconder of the Bill. I do not think that hon. Gentlemen opposite should be allowed to pose as the only friends of the labourers. The Members who sit on these (the Ministerial) Benches are just as anxious to promote the comfort of the labourers as any of those who sit opposite, and in the Resolution I have the honour to move I desire to manifest no hostility to the labourers of Ireland. What I want to affirm is that the provisions of this Bill cannot be carried out concurrently with the Land Purchase Bill introduced by the right hon. Gentleman the Chief Secretary for Ireland. As hon. Members are aware the Land Purchase Bill provides, through one of its clauses, for the erection of labourers' cottages; but if the Irish Church surplus, whatever it may be, is to be appropriated by this Bill, it is quite impossible that the benevolent intentions of the Chief Secretary can be carried out. Those Members who are opposed to the whole policy of the Government, who are opposed to land purchase, and who are hostile to the whole of the scheme of the Chief Secretary, are consistent in pressing forward this Bill, and in accusing the Government of want of generosity towards the labourers; but those who desire to see a practical scheme carried out—and the Bill of the Chief Secretary is a practical one—are consistent in supporting the Land Purchase Bill. Believing that the latter Bill is a masterly and statesmanlike measure, and

*Mr. J. O'Connor*

that its operation will benefit the class of people this Bill professes to serve, I have great pleasure in moving the Amendment which stands in my name.

Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words "inasmuch as it appears from a Return laid upon the Table of the House that the present value of the Church Surplus is insufficient to cover both the charge imposed on it by 'The Land Purchase Bill, 1890,' and the additional charge of £1,500,000 for the purpose of erecting labourers' cottages, and as the Land Purchase Bill, which has been read a second time, provides special facilities for improving the dwellings of labourers, this House declines to sanction a proposal which will deprive the population of the poorest portion of Ireland of the funds requisite for ameliorating their condition,"—(*Mr. Johnston*.)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

(12.55.) MR. MACARTNEY (Antrim, S.): I cannot agree with the hon. Member for Tipperary (Mr. J. O'Connor) that measures of this description have invariably met with hostility on the Government side of the House. I am confident the hon. Gentleman will on reflection admit, that since the inception of legislation on behalf of the labourers of Ireland such legislation has always been received with cordiality by hon. Members on the Conservative side of the House, and so far as I and some of my hon. Friends are concerned, the present Bill will not be received with hostility. I do not intend to vote for the Amendment, but to vote for the Bill. I cannot, however, give the measure very much praise, because I cannot see that any clause of it will really do anything to promote the legislation which right hon. Members opposite have at heart. I rather imagine that, until quite recently, hon. Members have not been quite sure what they would put in the Bill; indeed, the revelation made by the Chief Secretary, to the effect that the Church surplus amounted to £1,500,000, must have been a God-send to them. However, I prefer to devote that £1,500,000 to the purposes of this Bill rather than to the purchase of land, and therefore I propose to join hon. Members opposite in support of this measure. But I totally

differ from hon. Members opposite as to the mode in which they propose to apply the money. The Bill is brought in by hon. Members opposite under the guise of advancing the interests of the labourers of Ireland, but really to save the pockets of the ratepayers in certain districts; and if I vote with hon. Gentlemen opposite in favour of the Bill, it will be with the intention of moving in Committee such amendments as will make the Bill a real Bill for the benefit of the labourers all over Ireland—amendments which will enable the labourers of Ulster who are now deliberately excluded from the benefits of the Bill, to obtain some advantage from the operation of the measure. The hon. Gentleman who moved the Second Reading of the Bill got up the most recent statistics as to the progress of the Labourers' Acts in Ireland. I will admit that, having regard to the clauses of the Bill, it does not matter whether he took the statistics of last year or of the year before. He laid great stress on the fact that there was a demand for labourers' houses which had not been complied with, and that that demand had not arrived at a satisfactory solution. But whose fault is it that labourers' houses have not been provided? Undoubtedly the fault is altogether to be attributed to the action of the Poor Law Guardians themselves. In one of the Unions specified just now as being insufficiently supplied, I find that over 55 of the houses applied for have been abandoned by the Sanitary Authority who had charge of the carrying out of these schemes. ["No, No!"] I have the statistics here, and that certainly is the case. In the North of Ireland the Labourers' Acts have proved nearly abortive owing to the action of the elected Guardians. In the Union of Ballymena, for example, no action would have been taken but for the strenuous exertions of the *ex officio* Guardians. This Bill will do nothing to remedy the difficulty under which the labourers in Ulster suffer at the present moment. While I shall vote for the Second Reading, I intend, if the Bill reaches the Committee stage, to move Amendments which will enable those on whose behalf this class legislation is promoted to take, at all events, the initial steps by which they can secure a discussion of

their scheme by the Boards of Guardians. I intend also to move the insertion of clauses giving the Local Government Board control over the action of the Boards of Guardians, which is at present dictated solely by a regard to their own interests and not with a view to remedy such defects as may substantially exist. I have now only to express my regret that hon. Members opposite, having been fortunate enough to secure the first place on a Wednesday, should not have taken a little more trouble over a Bill of this class and should not have endeavoured to make it a little more effective. I have no doubt that if they desire seriously to benefit the labouring class in Ireland they will be prepared in Committee to receive such Amendments as will make the Bill a satisfactory piece of legislation. I regret that I cannot follow my hon. Friend who has moved the Amendment, and I shall vote in favour of the Bill.

\*(1.10.) MR. MULHOLLAND (London-derry, N.): I think I am right in regarding the 3rd clause as the central point of the Bill. Concurring as I do with the views expressed by the hon. Member opposite, and also by my hon. Friend the Member for South Antrim (Mr. Macartney), as to the method there proposed for spending the Church surplus, I feel bound to support the Second Reading of this Bill. As has been represented by the hon. Member who moved the Second Reading, the Church surplus is essentially Irish money, and ought to be devoted to the benefit of all parts of the country. I am bound, however, to dissociate myself from the proposal which has been made with regard to the distribution of this money. Hon. Members opposite propose to devote about £500,000 for the benefit of what I may call the Nationalist parts of Ireland, and the remaining £1,000,000 is to be held up for the remaining Boards of Guardians to scramble for on the principle of "first come, first served." I think I shall not be very far wrong in stating that the result will be that hon. Members opposite and their friends will secure nine-tenths of it. I think this affords a good illustration of the way in which Ulster would be treated by a Home Rule Government. I differ from

those who assume that this Bill if passed would be in any way a final settlement of the question. The Boards of Guardians in Ulster, at any rate, have not shown the smallest inclination to carry the Acts into effect, and even when they are stimulated by this sum of money the Acts will still remain a dead letter in many parts of the country. The fact is, that the farmers, who are paramount on the Boards of Guardians in Ulster, have not shown the smallest disposition to act for the benefit of the labourers. It is a matter of extreme regret that the Land Commissioners have not dealt with the question by exercising the powers conferred upon them by the 19th clause of the Act of 1881. I hope my right hon. Friend (Mr. A. J. Balfour) may suggest some method by which the Land Commissioners may be encouraged to exercise those powers in the future. Members below the Gangway on the opposite side will, no doubt, say that the landlords are responsible for the failure of the Labourers' Acts in Ulster; but I assure them, from my personal knowledge of several Unions in the Counties of Down and Derry, that they are altogether misinformed. The labourers know very well that the landlords, as a rule, are in favour of giving a fair trial to the Acts passed for their benefit. I am surprised that this question has been left so long in the hands of private Members, and that the House has had as yet no indication of the course which the Government intend to pursue. I think hon. Members hardly recognise the extreme importance of the labourers. A great deal has been done for the farmers, and very little for the labourers, who number, with their families, about 1,500,000, as against 2,500,000 farmers. The labourers in my constituency are looking forward with great interest and anxiety to the speech which the Chief Secretary is going to deliver, and if, on account of the clause in the Land Purchase Bill the right hon. Gentleman is unable to support this measure, I hope he will give some distinct assurance that the Government intend to deal with the question before long in a thorough and practical manner.

\*(1.20.) COLONEL WARING (Down, N.): If this Bill were what it professes to be—a Bill to benefit the labourers—I should be  
*Mr. Mulholland*

the very last person to vote against it. But the title of the Bill is most deceptive. It has nothing to do with the agricultural labourers, and will not put a shilling in their pockets in any part of Ireland. If it had been introduced from these Benches it would very properly have been called a Bill for the relief of landlords. It is simply because it is impossible for Members opposite to devise means for relieving labourers out of the rates that the measure is brought in at all. The present Acts, if properly put in force, are amply sufficient to supply labourers with cottages where they are required. No doubt those Acts have not been as operative as we could have wished; but this Bill would do very little indeed towards mending matters. It is meant to benefit labourers in the agricultural districts. A very large proportion of the agricultural labourers in Ireland live in the small towns, and to them the Bill offers no assistance towards getting their dwellings improved. I object to the appropriation of the Church surplus in the manner proposed. If the Church surplus be applied to anything it ought to be applied to the reduction of the enormous tithe rent-charge annuities amounting to 22½ years' purchase, a sum out of all proportion to the value now fixed upon Irish land. But if not applied to that purpose it ought to be applied to the solution of the most pressing and important of Irish problems—a problem which has hitherto proved insoluble—the relief of the congested districts. Whether the sum available will be sufficient to produce any effectual results in the congested districts I am unable to say. It will largely depend upon the manner in which hon. Gentlemen opposite deal with the question, and whether they encourage their constituents to accept the boon offered to them in the spirit in which it is tendered. I shall vote for the rejection of the Bill.

\*(1.25.) THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): I do not intend to speak at any great length on this Bill, but I do wish to point out to the House the very peculiar character which this Debate has hitherto assumed. This Bill, introduced professedly for the purpose of improving

the condition of the labourers of Ireland, has received hardly any explanation. But the most remarkable thing is the way in which the Bill proposes to deal with the Irish Church surplus, and the casual manner in which that all-important paragraph of the Bill has been treated by the Members who have brought forward the measure. I wish to say for myself, and I am sure my Colleagues on this Bench agree with me, that any such measure, if it had not contained this particular proposal for allocating and absorbing £1,500,000 of the Irish Church surplus, would have received from them the most careful and friendly consideration. [*Ironical Home Rule cheers.*] Why should it not? Do hon. Members opposite really pretend that the present Government is disinclined to confer advantages on the Irish labourers? [*Home Rule cries of "Hear hear!"*] Well, then, to say any such thing is one of the grossest of calumnies ever uttered without a shadow of foundation. The Irish supporters of the present Government who have spoken to-day are so anxious for the advantage of the Irish labourers that they are willing to vote for a Bill which each of them has condemned as almost ludicrously inadequate. I say it is mere claptrap to make such accusations against any Government. It is the exaggeration of absurd partisanship which prompts such a charge. The policy of hon. Members opposite to-day is perfectly plain. Having present a very large number of their friends, their object is to snap a Division which may seem to be destructive of the Land Purchase Bill of the Government. Hon. Members propose in this Bill to allocate £1,500,000 of the Irish Church surplus to this particular purpose of benefitting the agricultural labourers of Ireland. When did they first think of this admirable scheme of financial policy? How many of their leaders have sanctioned the proposal? I challenged hon. Gentlemen opposite, and especially the hon. Member for East Mayo (Mr. Dillon), who was in the House a few minutes ago, and who, if he is not here now, can be informed of what I say, to deny that this proposal is merely an afterthought put forward for no other purpose than to deprive the Government of the use of

that sum for the purpose of meeting the great and grave difficulty which presses upon them in the congested districts of Ireland. Why do I say that? The House remembers that the hon. Member for East Mayo (Mr. Dillon) used every kind of opposition he could imagine for the purpose of repelling and discrediting the proposals of the Government. And what was his main argument? To-day we are told that the surplus of £1,500,000 must of necessity be applied to the urgent demands of the labourers of Ireland. But what did the hon. Member for East Mayo say the other day? These are the words which he used, and I think I am entitled to ask hon. Members opposite, and especially the hon. Member for East Mayo for an explanation, otherwise the people of this country will believe that this Bill has been introduced with this clause in it mainly for the purpose of defeating the Land Purchase Bill of the Government and to take away this Irish Church Surplus Fund, which is certainly an important portion of the measure. I will read the words of the hon. Member for East Mayo, and I will leave the explanation to hon. Members opposite. On the 28th of April the hon. Member, speaking of the manner in which the Government Bill deals with the congested districts of Ireland, said—

"It was no doubt true that the sum of £1,600,000 was charged on what remained of the Irish Church surplus for the purposes of this Act. But he protested against such a burden being placed on this fund. This was a purely Irish fund, and it would be wanted when Home Rule was in operation for purposes of education."

I call upon the hon. Gentleman to explain what it was that he meant, and to explain also the present action of the Irish Members.

\*(1.35.) MR. T. W. RUSSELL (Tyrone, S.): I had no intention of taking part in this Debate. We have had a good many discussions upon the question of labourers' cottages during the present Parliament, and the sum and substance of them is that labourers' cottages have been very few. That is perfectly true; and so far as Ulster is concerned, the Act has practically been a dead letter. The

failure has been owing to the unwillingness of the elected Guardians to increase the taxation of the country by adding the expense which the erection of these cottages would entail. That is the real reason why in Ulster the Act has not worked; and, having read this Bill carefully through, I do not see that it contains a single clause that would get us out of the difficulty and facilitate the erection of cottages. I am certainly inclined to describe the Bill as a piece of cheap philanthropy, and I will tell the House why I use that expression. It proposes to take for this purpose £1,500,000 out of the Irish Church Surplus Fund. But that £1,500,000 is already ear-marked by another Bill which has already passed its Second Reading. Hon. Members know that if this Bill were carried it could only come in as a second charge, behind the proposal of Her Majesty's Government, and that, so far as practical working is concerned, it can come to nothing. Now, I am not inclined to join in this cheap philanthropy, and I will be no party to an attempt to stab the Land Purchase Bill. I am not in the least afraid to stand up in my place in this House and use that language, and I say that hon. Members, in uniting to try and get hold of the £1,500,000, are attempting to destroy this Land Purchase Bill in one of its most vital parts. Therefore, as I say, I will be no party to the operation. But there is another thing to which I wish to call attention. This is a Bill of 14 clauses, which proposes to amend the various Labourers' Acts. Have we had a word of explanation of the measure? I admit that my hon. Friend the Member for South Antrim (Mr. Macartney) went into the clauses of the Bill, but did the the Mover offer a single word of explanation? I listened in vain for any attempt at explanation, and I think it is an extraordinary thing for hon. Members to come down here on a Wednesday when there is ample time to discuss the provisions of the Bill, and to find that neither the Mover nor the Seconder attempt to explain the nature of those provisions. We are told that the proposal is a simple one—merely to take the £1,500,000 remaining of the Irish Church surplus; but, as I have already pointed out, it is already ear-

*Mr. T. W. Russell*

marked by the proposals of the Government. As hon. Members who support the Bill appear to have adopted a conspiracy of silence, I beg to move that the Debate be now adjourned.

Motion made, and Question proposed, "That the Debate be now adjourned."  
—(*Mr. T. W. Russell.*)

\*(1.40.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I think that any hon. Member who has been present in the House during the last hour must feel that the Motion of my hon. Friend for the adjournment of the Debate is thoroughly justified. Two gentlemen only have spoken from the quarter of the House from which the Bill proceeds, and neither of them have thought it necessary to explain the provisions of the measure. I think we are entitled to have a complete and full explanation from hon. Members who support it. I know that on the Motion for Adjournment it would be out of order to discuss the Bill itself, and that the only question we can discuss is whether the Motion is justifiable or not, and ought to be accepted by the House. We are certainly entitled to some explanation of a Bill which seeks to dispose of a million and a half of money, and, therefore, I think that the Motion of my hon. Friend is absolutely justified.

Question put.

(1.43.) The House divided:—Ayes 68; Noes 94.—(Div. List, No. 82.)

Question again proposed, "That the words proposed to be left out stand part of the Question."

Mr. PARNELL rose in his place, and claimed to move, "That the Question be now put;" but Mr. SPEAKER withheld his assent, and declined then to put that Question.

Debate resumed.

\*(1.55.) MR. SMITH BARRY (Hunts, S.): I am very much disinclined to vote against a Bill of this kind, seeing that it is a Bill which deals with so important a subject, and a Bill which professes to improve the houses of the

agricultural labourers of Ireland I have always been, and I think all the landlords of Ireland have always been, in favour of bringing about some improvement in the condition of the agricultural labourers. I have certainly myself done everything I could, ever since I had anything to do with the management of Irish estates, to improve the condition of the labouring classes. In the very Union of Tipperary, which has been referred to, I built 100 houses. [AN IRISH MEMBER: And put a rack-rent upon them.] Those houses are still occupied by a contented and thriving agricultural population. An hon. Member opposite has referred to those houses; I am glad that he takes such an interest in the labourer and his horticultural pursuits; and so far as the geraniums he mentioned are concerned, I can only say that they were presented to the labourers by my own agent at the end of the season. The reason why the provisions of the Labourers' Act have not been more largely made available in Ulster is that it has been the fault of the tenant-farmers, who are the elected members of the Boards of Guardians in Ireland. What I maintain is, that the landlords have done far more to help in the building of houses in Ireland, under the Labourers' Act, than the tenant-farmers. In the winter of 1884-5, after the first Labourers' Act was passed, I made an offer to the Tipperary Board of Guardians to present a piece of land which would supply from 10 to 20 different sites, on the condition that the farmers, on whose land the cottages were to be built, were content to forego any payment on their part for their interest in the land. The Board of Guardians accepted the offer, and the Board of Guardians of Ennis did me the honour of voting a vote of thanks to me. I do not think that, under the altered circumstances of the present day, any Board of Guardians in the South of Ireland would venture to pass a vote of thanks to me. I am sorry to say that my offer came to nothing, because the tenant-farmers did not look upon the matter in the same light that I did. They were by no means disposed to grant facilities for the erection of labourers' cottages on the condition that they were to forego their share of the price. The proposal contained in the present Bill is that a

very large sum of money shall be devoted to the purposes of supplementing the Agricultural Labourers' Act. It is a very important Bill, and it deals with a very important subject. So far as I can see, it seems to be a Bill which has been fairly drafted, and which proposes to deal with the subject in a proper and straightforward manner. But we have had no explanation of the Bill, and without an explanation it is impossible for me to vote for it, especially as the reason for introducing the measure seems to be the desire to upset the large measure of the Chief Secretary for Ireland. This Bill was ordered to be printed on the 12th of February, but it is evident that the figures which it contains have been inserted from the Government measure, and, therefore, I am not prepared to support the Bill, because I regard it simply as an attempt to destroy the more important measure of the Government for the disposal of the Irish Church surplus. Whatever the merits or demerits of the Government proposal may be—and I am by no means inclined to bless the Bill in every respect—I must say that that part of it which proposes to deal with the congested districts appears to be the best, the most comprehensive, and the most genuine attempt which has been made in our time to deal with a most burning question. Upon these grounds I shall vote for the Amendment.

(2.15.) COLONEL SAUNDERSON (Armagh, N.): From the condition of the Benches opposite one would not be led to imagine that this is a question of much importance to the Nationalist Party in Ireland. I know that hon. Members on the other side of the House arrogate to themselves the representation of the Irish people; but when a question arises which concerns the condition of the Irish labourer the appeal for a verification of their statements is made to empty benches. If we desire to learn the true meaning of the Bill before the House, I think we might learn it from the singular fact that the leader of the Nationalist Party, who declares that he takes a great interest in the welfare of the Irish people, did not even take the trouble to listen to the opening

of the Debate, but rushed into the House with great activity after the Debate had progressed for some time to move that the Question be now put, and when the Speaker declined to put it rushed out again. It is another singular fact that the Bill was not printed until after hon. Members below the Gangway discovered the fact that there was an Irish Church surplus. In fact, many of us doubted, before we learned the fact from my right hon. Friend the Chief Secretary, that there was any considerable surplus at all. And hon. Members below the Gangway refrained from inserting any figure in their Bill until they ascertained the actual amount of the surplus and the object to which it was proposed to be devoted by Her Majesty's Government. As soon as they made the discovery they proposed to relieve the Chief Secretary of this sum of £1,500,000, to take it away from the object which the Government have in view, and to apply it to objects which, in themselves, are admirable, but which would have the effect, if this Bill were adopted, of preventing the solution of one of the most difficult problems of Irish life. The Bill of the Government is a great measure. In its object I cordially agree, although I object to many of its details. At the same time, I believe it is a measure which, in the future, will largely result in knocking the bottom out of the agitation which for so long a period has destroyed the best hope of securing the peace of my country. So far as I am concerned I shall vote against this Bill, not because I disapprove of its object, but because I disapprove of the spirit with which it has been brought forward. Anybody who knows anything of Ireland will admit that a great social revolution has been taking place in that country. It is now proposed to settle the difficulty by substituting one class of landlord for another. I deny that it would do so. A majority of the Irish people are not tenants, but belong to the working class; and I am persuaded that until a measure of large generosity is brought in to deal with the condition of the working classes, there will always be a rankling wound left which will be a source of continual discontent, in fomenting which any mercenary or truculent agitator will find a market for

*Cobonel Saunderson*

his wares. I maintain that there is no tenantry on the face of the land which has ever been treated with such generosity as the Irish tenants, although I am prepared to admit that at the same time very little has been done for the labourers and the working classes. In using the word "generosity" it has always struck me when I hear English statesmen descant upon the condition of Ireland, and see tears dimming their eyes, that when they desire to wipe those tears away they always use the pocket-handkerchief at the expense of the Irish landlord. I should certainly prefer to find that their sympathy is manifested at their own expense. When I find a Bill of this kind introduced into Parliament, which proposes to be generous to the working men of Ireland at the expense of the congested districts of the South, I confess that I very much doubt the *bona fides* of the action of hon. Members opposite. I am sorry that on this occasion we have not had the benefit of their voluminous eloquence. The hon. Member for North Cork (Mr. Flynn) caught your eye, Sir, before you left the Chair. Where was he, Sir, when you came back? I am unable to say. He was certainly not in his place to explain the provisions of this Bill. Under the Bill of Her Majesty's Government they propose not to sweep away landlords, but to substitute one class of landlords for another. I challenge anyone who is acquainted with the conditions of Irish life to deny that the life and social condition of the labourer in that country are infinitely better on the estates of large landlords than on the smaller estates. Has any Member of the Party opposite built a hundred labourers' cottages at his own expense, as the hon. Member for South Hunts has done? I am aware that you are building a new town at Tipperary; but I fancy that that is at the expense of the inhabitants. I should like to know if you have improved the condition of the Irish labourer in any way, whether you have not made a fool of him, and whether the suffering that ought properly to have fallen on the shoulders of agitators has not been borne by him? I challenge contradiction when I say that the condition of the labourer on a large estate is a thousandfold more pre-

ferable to the condition of the labourer under the small farmer. Now, you propose to sweep away the present Irish landlords. ["No."] Hon. Members say "No ;" but an Irish landlord must have money to live in Ireland. ["Hear, hear!"] Yes ; the Irish landlord does not possess that facility for living without money which distinguishes other people. It seems that these Irish landlords are now for the first time discovered by hon. Members opposite to be so necessary to the welfare, the prosperity, and the progress of Ireland that the hon. Member for Cork has come forward and informed us that he is far from desiring to banish the Irish landlords, and has found fault with the Bill of the Government on the ground that it will have that effect. I want now to point out what the condition of the labourers will be when the landlords are gone. It is proposed to establish another set of landlords of a much smaller—of a microscopical character. I ask, whether it is not the truth that the Irish labourers on estates of 12 or 30 acres will be far more unhappy and more devoid of the necessities and the comforts of life than those engaged upon the present larger estates? I am not in favour of doing away with the present landlords, but I am in favour of, and will support to the best of my ability, any proposal of the Government to deal with the question of the Irish labourers in a measure of a far more comprehensive character, which will have the effect of showing us that the generosity of Great Britain to Ireland is not always to be vicarious, but that she will put her hand into her own pocket and show the Irish people that their gratitude in the future should not be founded on gifts from the pockets of the Irish landlords, but from the pockets of the British people.

(2.35.) SIR C. LEWIS (Antrim, N.) : I am sorry that on the present occasion I shall not be able to vote either for the Bill or the Amendment, and I will give my reasons for the attitude I take up. I have long held, and still hold, the opinion that Irish land legislation has taken a wrong direction, and that we are now proceeding to such an extent in relieving the tenant that we not only give away

the property of other people, but destroy the opportunity of giving assistance to other classes who deserve it as much, if not more. I believe that when the history of this period comes to be written in the light of events, it will be seen that we have been distributing gifts to the tenants to an inordinate degree. As regards the Ulster tenants, though they have many complaints and grievances, I believe that, as compared with the labourers, they have everything given to them. They have been favoured, whilst the labourers have been entirely neglected, and deserted even, by hon. Gentlemen opposite. I know what the condition of the Ulster labourer is, and I know that he can be represented as living in a miserable house that is not sufficient to shelter him. The labourer has been neglected by hon. Gentlemen opposite because his vote has not been thought of much importance. I believe that the class of labourers has been disgracefully neglected by both sides of the House, and the Chief Secretary will forgive me if I say that I have endeavoured to call the serious attention of the Government to this matter as an evil which is looming closely in the future.

MR. PINKERTON (Galway) : Since you left Derry?

SIR C. LEWIS : That seems to me to be about as inane an interruption as could be made. This is a matter which does not depend upon a particular constituency, but is one of public importance. It has been said that this Bill interferes with the measure of the Government. I do not sympathise with that measure. I believe that we have already given the farmers enough, and that we are going in the wrong direction ; but that is not any reason for supporting hon. Members opposite in an attempt, by a side-wind, to take away the funds which the Government propose to employ. Reading between the lines, and seeing the conduct of hon. Members who support this Bill, it is plain that they do not want so much to see the Bill discussed, and its principle carried out, as to give a stab in the side of the Government for the purpose of checkmating the measure which the Government have proposed. I do not say that there is



anything very objectionable in the general provisions of the Bill to satisfy the necessity there is for altering the mechanism of the existing Labourers' Act; but I think we ought to give the Government another opportunity of dealing with this question on broad lines. I maintain that the Church surplus is not a fit fund for either this purpose or that for which the Government propose to use it, both of them being totally different objects from that for which it was originally provided. While, therefore, I acknowledge that this question is of serious, stirring, and immediate importance, I contend that both parties are in fault, and while I will take no part in the Government Bill, I am not going to create a false issue by giving away the Church surplus as proposed in this Bill without proper safeguards. I quite concur with the hon. and gallant Member for North Armagh with regard to the administration of the Labourers' Acts. I have read resolutions published in the acknowledged organs of the Nationalist Party, distinctly prohibiting Boards of Guardians from taking any part in assisting labourers who are not of the true blue Nationalist creed. What is wanted is an untainted body to administer these Acts; a body free from terrorism and intimidation. The Boards of Guardians who have to administer these Acts are, as these resolutions show, under a system of terrorism, which prevents them from using their discretion in selecting the sites, and the labourers who are to have the cottages. I cannot vote against this Bill, because its object is one which I desire to see accomplished; but its mechanism is useless for the purpose, the use of the Church Fund is objectionable, and the Bill is directed to the express purpose of doing injury to the proposal of the Government, and I, therefore, will not vote for it.

\*(248.) MR. A. J. BALFOUR: I suppose the House will expect to hear from this Bench on the subject of what I had been going to call the Debate, though that term is inappropriate, because, if my memory serves me right, the speeches which we had from the fathers and god-fathers of the Bill took up precisely 10 minutes of our time.

*Sir C. Lewis*

An hon. MEMBER: That is a novel complaint.

\*MR. A. J. BALFOUR: Yes; and I shall have to dwell upon the novelty of it directly. The hon. Member for King's County delivered a speech that was brief but not pregnant.

An hon. MEMBER: You were not here.

\*MR. A. J. BALFOUR: The hon. Member's speech, I understand, had very little to do with the Bill. I believe it occupied about five minutes of our time. He was immediately followed by the Member for South Tipperary, who took up another five minutes. And did he devote that five minutes to explaining the provisions of the Bill? Not at all. He devoted them to giving an account of the efforts he had made to stimulate the growth of geraniums in the windows of the cottages that had been built under the Labourers' Act in his constituency. And having done that, he did not devote any part of that rich eloquence, which on the subject of the Liquor Trade is not usually found to flow by any means in a thin and niggard stream from him, to the substance of the Bill before us. He devoted no more than five minutes to a Bill which proposes to take the whole of the National funds of the Church surplus and devote them to the amelioration of the labouring class in Ireland. Moreover, during a discussion which deals with funds of that importance, and with the interests of the labourers of Ireland, the House has not been favoured with the presence on the Front Opposition Bench of a single representative of the late Government, unless the stray appearance from time to time of one or two gentlemen who act as Whips to that Party, and who look in now and again to see how the Debate is going on, may be deemed to represent them. That is a very interesting and remarkable fact. An hon. Member interrupted me just now when I remarked that to-day Irish rhetoric does not seem to flow in the abundant stream that is usually noticeable when matters of such small importance are under discussion. The hon. Member said that was a novel complaint. And so it is, because this is a very unusual occurrence. During the 15 or 16 years I have been in the House I have never known

it necessary to make the complaint before. [*Cries of "Question!"*] This certainly is the question. As a rule, when the judgment of the House is sought in favour of a Bill it is made to depend, as far as possible, on the arguments in favour of the measure; but in this case hon. Members opposite have apparently not thought it worth while to advance any arguments in support of the Bill. About this time last year a whole Wednesday was spent by Irish Members in discussing how some of their colleagues who had had the misfortune to be put in prison should be lodged and treated; but how the labourers of Ireland are to be lodged appears to be a subject of comparatively little interest to them. The hon. Member for South Antrim announced his intention of voting for the measure; but the only reason he gave for that was that, in his opinion, the passing of the Bill would destroy certain provisions of another measure which has been read a second time, which provisions do not meet with his approval.

MR. MACARTNEY: I do not think I said that. I said I approved of the method of allocating the money in this Bill, which I said had not been explained very fully, and that I thought it would facilitate the working of the Labourers' Acts already in existence. I am perfectly free to vote for any allocation of the £1,500,000 of the Church Surplus Fund, as I have not supported the Government measure.

\*MR. A. J. BALFOUR: I quite understand the hon. Gentleman's position; but I think he will not deny that his speech implied that this Bill, if carried, would not have the effect of stimulating the Local Authorities in Ulster or anywhere else in spending money in building cottages under the Labourers' Cottages Acts.

MR. MACARTNEY: What I said was that there was no provision in the Bill, as at present drafted, which would enable the labourers to secure a more efficient working of the Acts than there is at present, and that in Committee I should

endeavour to carry Amendments which I have proposed on previous occasions.

\*MR. A. J. BALFOUR: Therefore, I am correct in saying that the Bill, as it stands, does not appear to my hon. Friend to contain any guarantee that the Local Authorities will exercise the powers given under the old Labourers' Acts in a more public-spirited manner than they do at present. My hon. Friend will admit that unless the Local Authorities do use the powers given them under the Act, which expires next year, it would be in vain that we should give them the Church Surplus Funds to aid their operations. But after my hon. Friend's explanation I acquit him of using, or endeavouring to use, this Bill as a means of embarrassing the Government in their conduct of the Land Purchase Bill. But I do not suppose I need extend the same charitable interpretation to the action of hon. Gentlemen opposite. And I suppose hon. Members opposite will not deny that the chief interest they take in this Bill is not so much to benefit the Irish labourer as to embarrass the Government with regard to the Land Purchase Bill. They are now deliberately going to vote to mortgage the Church surplus for a purpose to which the hon. Member for East Mayo openly declared it ought not to be applied, for he said the other day that it should be paid to educational purposes only. [Mr. DILON assented.] The hon. Member assents to that interpretation, and, therefore, something must have occurred between the Second Reading of the Land Bill and to-day to persuade hon. Gentlemen opposite that the teachers in Ireland do not want the money, and that the labourers ought to have it. My hon. Friend the Member for North Antrim complained that nothing has been done for the labourers of Ireland, and said very truly that the course of legislation during the last 10 years has been to give advantages, rightly or wrongly, at the expense of the public or of the landlords to the tenants. But when he said that nothing has been done, or is being done, for the labourers of Ireland, he cannot have had before him the full figures relating to the steps that have been taken in their interest. According to the last Reports, which will very shortly be in the hands

of hon. Members, it appears that the Treasury has already sanctioned loans to the amount of £1,098,772. I also find that if the whole of the schemes which have been, or are about to be, submitted to the Local Government Board, estimated at about £400,000 more, are considered, it will be seen that £1,500,000, within a few thousands, has been applied, or shortly will be applied, for the benefit of the labourers of Ireland. It cannot be maintained by any section of the House that that is a trifling or an insignificant sum. An hon. Member has regretted that the question of dealing with the labourers of Ireland should have been left to private Members; but the benefits proposed to be given to the labourers of Ireland under the Land Purchase Bill have not been fully recognised. I should probably be out of order in now discussing the provisions of that measure, yet it is relevant to the Debate that I should remind the House of what they are. Under those provisions one-eighth of all the annuities payable on purchase under the Land Purchase Bill will be given to supply labourers' cottages in parts of the country where they are most required, and I find that the sum thus available for the purpose will be no less than between £75,000 and £79,000 a year; whereas the entire sum available under the present Bill, and that probably subject to a large reduction, cannot be estimated at more than £40,000 or £45,000 a year; so that the boon intended to be given for the Irish labourers, the sum to be granted for the building of labourers' cottages in Ireland by the Land Purchase Bill when it comes into operation, is nearly double that which the present Bill proposes to give. In reality, if the Bill passes and becomes fully operative, it will do far more for the object this Bill professes, on the face of it, to have in view—the better housing of the labouring classes in Ireland. Though that is its professed object the Bill is as much intended to give relief to Local Authorities. The House is probably not aware that the Bill is retrospective in its operation. It is intended to supply half the cost not only of labourers' cottages which have been built, but also of those which may be built, so that, of the £1,500,000 the Bill would deal with,

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£750,000 would go from this National Fund not for national purposes and not for labourers' cottages, but simply and solely to recoup those Unions which have already spent borrowed money under the Labourers' Act. I think this fact alone will be sufficient to show the House the hypocritical nature of the Bill, and those who advocate it on the ground of using the Church Surplus Fund for the benefit of agricultural labourers, either do not know the contents of the Bill, or are deliberately bringing it in under false pretences. The House will see that merely comparing the two schemes, the scheme we have brought forward in the Land Purchase Bill for the benefit of the labourers with the scheme in the present Bill for the same object, while the latter would provide at the most £20,000 a year, our proposal, should it come into full operation, would provide £75,000 a year. But my hon. Friend the Member for South Antrim (Mr. Macartney) suggests the proposals in the Land Purchase Bill may not come into operation in some parts of Ireland, and so provision may not everywhere be made for building cottages. But granting that, it is to be observed that the part of Ireland where it appears the Labourers' Act has been least taken advantage of is Ulster, and, by universal admission, whatever may be thought of the Land Purchase Bill in other parts of Ireland, in Ulster it is received with great favour, and I do not doubt that the amount authorised to be borrowed in Ulster will be fully taken up at no very distant date in the various counties there. Take Antrim for instance, the capitalised value of the sum available for land purchase would be £1,426,650, and the annual amount available for building cottages, should land purchase go on in Antrim, would be £3,500, or, capitalised, over £100,000. What is true of Antrim applies to a similar extent to every county in Ulster and elsewhere where land purchase takes place. I have no doubt that the sums available will be taken advantage of, and that the labourers will have a fair share of benefits proposed to be conferred on the country by Imperial credit. One hon. Friend of mine has dilated on the injustice of using for class purposes a fund intended,

to be used for the whole of Ireland. He said we ought not to devote this sum of £1,500,000, intended to be a fund for the national advantage, to the benefit of a particular class of farmers. Of course I admit that, in one sense of the word, the tenants in the congested district are farmers, but they are not farmers in the English sense of the word, and I am disposed to think whatever their legal tenure may be, they ought to be regarded by this House rather as distressed labourers than as impoverished farmers. I have often said they ought to be regarded as labourers, with allotments. A large number of them do eke out their living by labour in England and Scotland, and some, I believe, even by labour in America, while others make a living partially by the cultivation of their allotments, and largely by fishing and other local industries. They are labourers in the strict sense of the word, whatever their legal standing may be, and thinking, as we do, that money may be devoted to the welfare of the labouring class in Ireland, then it cannot be denied that, go where you will, you can find no section of the labouring population more deserving or more requiring assistance, or who have a greater claim on this National Fund, than the poor people who inhabit these congested districts in the West. Therefore, to summarise my argument, this Bill is not so much a Labourers' Relief Bill than it is a Local Rates Relief Bill; secondly, it is a far worse scheme for the labourers of Ireland, far more illiberal in amount than the proposal in the Land Purchase Bill I introduced the other day; and let the House notice this, which I omitted to mention before, though it is a most important consideration—if this Bill passes it will leave it entirely to the Local Authorities to determine whether a single sixpence shall be devoted to the building of labourers' cottages or not. The Land Purchase Bill practically compels or holds out inducements to Local Authorities, in my opinion, of a far more stringent character than anything to be found in this Bill. Comparing, therefore, the two Bills, it is plain, in the first place, that the amount of money under this Bill is much smaller; in the second place, that the inducement to Local Authorities

is not so great; in the third place, that part of the money professed to be devoted to the purpose is merely given to Local Authorities; in the fourth place, that you leave untouched that which is not a local but a national calamity, the condition of the population on the West Coast of Ireland. These are reasons which, I think, should be conclusive with those who are moved by consideration for the good of Ireland as a whole, or of the particular class of Irish labourers. We all know that the motives of hon. Gentlemen opposite have nothing whatever to do with the condition of any particular class in Ireland. Their motives may be laudable, may be excellent, but the motive is not benefit to the labouring class in Ireland. I do not complain of their motive. They dislike the Land Purchase Bill, and, finding they are unable to defeat that Bill by argument, they may try to damage it by a side wind. Let them do that, but do not let them pose as philanthropists. They are wire-pullers, and good ones. They have always shown much greater aptitude for that particular occupation than for the calling of philanthropy, of which, occasionally, they make such loud profession. The object of hon. Gentlemen is tolerably clear, but I do not think it is likely to be successful in the House this afternoon. But whatever that decision may be, of course the Government will certainly not regard it as final, or indeed of any significance whatever. Even if the Bill is carried, which I venture to think hon. Gentlemen opposite hardly anticipate, let me point out that the £1,500,000 the Bill proposes to take is already taken, or will be taken, by the Land Purchase Bill, and this Bill becomes a dead letter. There is only one other point, and that relatively a subsidiary point to the matter before the House. The Labourers' Act expires next year, and it will be the duty of the Government next year to make proposals for dealing with the Acts, and probably for reviewing them in some shape or other, and then will be the time for Amendments to the Act to be considered. They were brought in as a temporary measure originally, they were extended to seven years; we have had that length of experience, and the Acts will

expire next year, and then will be the proper and legitimate time for the Government to bring forward their own proposals for amendment, and for hon. Gentlemen to offer what suggestions they may think right for the improvement of those Acts. [*Interruptions.*] I am sorry that hon. Gentlemen do me the injustice of supposing I have an object in extending my remarks. Personally, I have no objection to a decision of the House being taken, for, as I have said, and I am glad to have the opportunity of repeating it, the conditions under which this so-called Debate has gone on has deprived it absolutely of all significance, and no significance will be attached by the Government to the decision the House may come to. I think every one of the considerations I have brought before the House is deserving of an answer, though it may not be forthcoming. No attempt has been made to meet the arguments, but every man who has at heart an improvement in the condition of the inhabitants on the West Coast or the labourers of Ireland, will not hesitate to declare, at the fitting time, his disapproval of the attempt made by hon. Gentlemen opposite under the guise of benefiting labourers to relieve the rates in Irish Unions.

(3.15.) MR. DILLON rose in his place, and claimed to move, "That the Question be now put."

Question, "That the Question be now put," put, and agreed to.

Question, "That the words proposed to be left out stand part of the Question," put accordingly, and agreed to.

Main Question put, and agreed to.

Bill read a second time, and committed for to-morrow.

#### JURY LAW (IRELAND) BILL—(No. 31.)

##### SECOND READING.

Order for Second Reading read.

(3.20.) MR. KILBRIDE (Kerry, S.): This Bill deals with a subject to which the attention of the House has often been directed in various ways. It has often been alleged that Irish people have no respect for law and order, and the pur-

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pose of this Bill, shortly stated, is to induce that respect for Jury Law which at present the people do not entertain. The Attorney General for Ireland will, no doubt, be anxious to explain the action of his predecessor in office in relation to a celebrated trial last October in my native county; so, without dilating at length on the provisions of the Bill, I will merely allude to that trial by way of illustration, and shortly state that the object of the Bill is to give prisoners in Ireland that chance of fair play which, owing to the action of the Crown prosecutors, they do not now enjoy. By a practice unknown in this country, a very large number of special jurors are summoned for the trial of political prisoners, and thus, at Maryborough, 217 men were summoned as jurors for the trials I have mentioned, all men rated at over £100, and of these 217 only 66 were Catholics or Nationalists, or supposed to have any sympathy with the persons on trial. It is because we object to have the law brought into contempt by its administration that we introduce this Bill. We wish the people to have confidence in the administration of the law. We have as much respect for law and order, fairly administered, as any hon. Member on the other side, but I think no hon. Member can justify the action taken at the trial of the Gweedore prisoners at Maryborough, where the whole of the special jury panel were summoned, and any person who was suspected of any sympathy in politics or religion with the people on trial was ordered to stand by. The jury did not contain one single person in the same condition in life as these Donegal prisoners. Such circumstances as these bring the law into contempt, not only in Donegal but all over Ireland. How can any Catholic have any respect for the law so long as his creed is considered a disqualification for serving on a jury, and he is subjected to what is an insult in open Court? The Bill, I hope, will be read a second time, and I know the effect of carrying it into law will do much to make the law respected, and will do much to strengthen the union between the English and Irish people, which we have as much at heart as hon. and right hon. Gentlemen who call themselves Unionists.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Kilbride.*)

(3.24.) **MR. M. HEALY (Cork):** In seconding the Motion, I would point out that the Bill is only a return to the ancient Constitutional practice prevailing both in England and Ireland. In the famous Magna Charta it was declared that a person arraigned on a criminal charge should be tried by a jury "indifferently chosen," and this is the law which nominally is supposed to prevail in this country and in Ireland. It was found at one time that the Crown had succeeded in evading the law by exercising an unlimited right of challenge, and accordingly, some 500 or 600 years ago, Parliament solemnly enacted that the Crown should have no right of challenging a jurymen except for cause shown, but this Act the Crown evades by exercising the right to order a person to stand by. Nominally, the Crown prosecutors do not challenge jurors, but really they do by calling on jurors to stand by. They exercise this right of "stand aside" to an extraordinary extent by summoning a whole panel, and I have known the summons extend to 300 persons. In cases of misdemeanour a prisoner has six challenges, in cases of felony, 20; but the Crown has practically unlimited challenge in both; so that instead of the trial being conducted before 12 jurymen indifferently chosen, persons appear before 12 jurymen selected by the Crown. We are solicitous to put an end to this state of things, and hence we support the Second Reading of this Bill.

(3.26.) **THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University):** The hon. Member who moved the Second Reading of this Bill seemed to be under the impression when he sat down that I would rise to defend the administration of the law in Ireland from charges he did not make against it. Now, I do not think any Member of the House would expect that anybody charged to any extent with the administration of the law in Ireland would get up and evolve charges from his inner consciousness for the purpose of demolishing them. If the hon. Gentlemen who moved and seconded the

Motion for the Second Reading have not thought fit to formulate charges in detail it is certainly impossible for me to imagine them. The hon. Member who moved the Second Reading did make allusion to a specific trial, and both hon. Gentlemen made allusion to a practice which they said is largely exercised. The hon. Member alluded to recent trials in a county with which I understand he is connected, trials at Maryborough. It was a vague and general statement, and, before referring to it, I should like to read to the House the statement of an eminent member of the English Bar who attended these trials for purposes of observation simply; and I take the opportunity of saying I wish other members of the English Bar, who have any doubts as to the manner in which the law is administered in Ireland, would follow the course that Mr. Crompton adopted. [An hon. MEMBER: He denies it.] I will read what Mr. Crompton said. Speaking at the annual meeting of the Irish Protestant Home Rule Association, held in Dublin, on the 22nd of October, 1889, Mr. Crompton said:—

"He had attended the trial at Maryborough,"—(it was the case of Father M'Fadden and others)—"this week, and he must say he did not complain of the way justice was administered by the learned Judge, or of the way in which the Protestant jurors acted. So far as the Judge was concerned, he (Mr. Crompton) had attended thousands of trials, and he never heard a criminal trial conducted more admirably, or with greater power, ability, and fairness, than this trial was conducted by Mr. Justice Gibson. He thought he was an honour to the Irish Bench and the Irish nation, and the only regret was that Mr. Justice Gibson did not join the Protestant Home Rule Association. The jury appeared to have done their duty fairly, and to have brought in a verdict of guilty because they considered there were extenuating circumstances connected with the arrest of Father M'Fadden which exasperated the people, and, in the eloquent words of the Mac Dermot, 'made them mad.'"

An hon. Gentleman interrupted me by saying that Mr. Crompton afterwards denied, or modified or qualified that statement. He did nothing of the kind. I know the letter to which the hon. Gentleman referred. He did not deny or qualify his testimony as to the conduct of the Judge and jury, but said he made some general charges in relation to jury packing. [*Cheers.*] I know the charges.

There are two distinct classes of charges that may be made. You may make a charge against a certain system, and you may go further, and say that system produces practical injustice. I deny the existence of the system as alleged by hon. Gentlemen opposite—[*Cries of "Oh, oh!"*—and before I sit down, I shall read testimony, which, I think, will have weight with hon. Gentlemen. The hon. Member who moved the Second Reading of the Bill said that no Catholic could have respect for the law, because his religion was used as a means of insulting him in Courts of Justice. I give the most categorical denial to the suggestion underlying that statement. No person is ordered to stand by in Ireland on account of his religion. This is not the first time this House has heard accusations of this kind, and this is not the first Government against which accusations of this kind have been made. Similar charges were made against the Administration of Lord Spencer, but what has Lord Spencer himself said? I should not think of producing Lord Spencer as a witness if the speech from which I desire to quote were one delivered by him during the time he was administering the law of Ireland with firmness and with success. But the speech from which I am about to make an extract was made in other days, and I presume that, in his present state of mind, Lord Spencer will be accepted by hon. Gentlemen opposite as a credible witness, particularly in a matter in his own personal knowledge. Speaking at the Eighty Club, on the 8th of March, 1889, Lord Spencer referred to the complaints of the prevalence of the practice called jury packing which were made while he was responsible for the Government of Ireland. He said—

"We thought we had done away with the cry in Ireland, this painful cry of packing juries; but I was quite mistaken. I found in my experience later in Ireland that when there were cases of agrarian or political moment which created much excitement among people the cry was again raised, and I will just explain how it came about. Some of you may not agree with me. You may think that I am not giving a proper version of affairs, but what happened was this—I speak of Dublin, and I do not know so much about the rest of the country—"

[*Ironical Opposition cheers.*] Yes, but complaints were made in relation

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to Dublin, and if the allegation is found, on the testimony of Lord Spencer, to be utterly untrue in relation to Dublin I ask you to draw the same inference in respect to the rest of the country. Lord Spencer continued—

"In Dublin the Law Officers of the Crown, when the panel of jurors was called over, considered whether there were any publicans on the panel or farmers who lived in isolated districts. I do not think I shall be contradicted when I say it is the duty of the law officers to see that no absolutely partial person is on the jury. The Crown had a right to set aside peremptorily or for cause, and the prisoners to challenge a certain number of jurors. I believe the law officer would not be doing his duty if he knowingly left on the jury a man whom he knew would give a verdict independent of the facts. It was the habit to challenge these two classes, and the reason was that the publicans were put in such an invidious position with their customers, if they went against the feeling of their customers, and did their duty. The same thing occurred with regard to the farmers in any district. What was the result? I know, because I have cross-examined the officers on the subject, and I know these men did not challenge because a man was a Roman Catholic. I am satisfied that the law officers did not challenge and set men aside because they were Roman Catholics; but the result was that, as these two classes were invariably Roman Catholics, we constantly had juries in Roman Catholic districts almost wholly made up of Protestants."

[*Ironical cheers.*] Do hon. Gentlemen believe Lord Spencer of 1889 or not? They are not derisively cheering any statement of mine, but a statement of Lord Spencer, as to what occurred when he was Governor of Ireland, in regard to matters which must have been within his own knowledge. He says he was satisfied, from inquiries made at the time, that no person was challenged because of his religion. I do not think more important testimony on the subject could possibly be adduced. Let me remind the House that the accusation of jury packing was made just as strongly and vigorously in the time of the late Government, and in the House of Commons, on the 26th of February, 1883, the right hon. Gentleman the Member for Denbigh (Mr. Osborne Morgan) said—

"He was able to give, from his own personal experience, the most complete contradiction to one of the assertions made by the hon. Member for Cork (Mr. Parnell). The hon. Member had said that since the Crimes Act was passed, juries in Ireland could not be trusted to exercise judicial impartiality—that trial by jury did not exist, by which he (Mr. Osborne

Morgan) supposed was meant that juries empanelled under the Crimes Act, could not be trusted to do their duty."

Then he went on to pass a eulogy upon Mr. Justice Lawson, who presided at the trial of Michael Walsh, and added—

"But he did not wish to say a word about the jury. He went into Court as an entirely unprejudiced spectator. He did not know what proportion of the jury was Protestant and what was Catholic; but he desired to say, having had some experience, both favourable and unfavourable, of juries in this country, that never in the whole course of his life had he beheld a more intelligent, a more patient, or a more impartial jury, and he thought he might add, a jury more indulgent to the prisoner. Every single question they put was directly to the point, and, as he could judge, most of their questions were directed to elicit some point in favour of the prisoner. He could say emphatically that no man could have had fairer trial, and at the conclusion of it he could not help saying that if that was the way they packed juries in Ireland, he only wished they would pack English juries in the same way."—(*Hansard*, vol. 276, p. 892.)

That is the testimony of a right hon. Gentleman who supports the right hon. Gentleman the Member for Mid Lothian, and who sits on the Front Opposition Bench. Now, I have been asked several times if I would lay on the Table of the House the rule under which the Crown Solicitor in Ireland acts as regards the empanelling of juries. I am prepared to lay the rule on the Table, and I will now read it. I would first of all remind hon. Members that it is no new rule invented for a novel occasion, but a rule that has been substantially in force since 1867. The rule provides for the exclusion from the jury box of those who, from their position or circumstances, would be open to be influenced by fear, favour, or affection. The hon. Member for Cork (Mr. M. Healy) said this Bill would have the effect of bringing the law back to the ancient Constitutional practice in England and Ireland, and the hon. Member for South Kerry (Mr. Kilbride) said that such things as he complained of could not take place in England. I do not know whether the House is aware that the law is precisely the same in England as in Ireland. [An hon. MEMBER: "No."] An hon. Member says "No," but let him show any statute creating the smallest difference. Having due regard to my position as a lawyer, I state that the law

in England in relation to the right of the Crown to order jurors to stand by is identical with the law in Ireland on the subject. This Bill will take away the right of the Crown to order jurors to stand by in Ireland.

MR. O'HANLON: Oh, oh!

\*MR. SPEAKER: I must ask the hon. Gentleman not to interrupt constantly.

MR. MADDEN: Roscoe in his *Criminal Law* says that this practice of ordering jurors to stand by has existed uniformly from the time of Edward I. to the present time.

MR. MAC NEILL: The law is the same in both countries, but the practice is entirely different.

MR. MADDEN: My statement was that the law in England and Ireland is the same, and if the hon. Member merely rises to show that that is the case, his interruption is hardly necessary. He has referred me to a publication which, he says, states that the law in question in England is either obsolete or disused. Well, let us see what the Bill does, and clear our ideas. It is not a measure to bring the law of Ireland into line with the law of England. It will do exactly the opposite of that, the law of England and Ireland being precisely the same as to the rights of the Crown in respect of challenge, and I have, I think, gone far enough to throw the burden of proof on the shoulders of those who wish to establish a different system in Ireland. I have the authority of my Colleague (the Attorney General for England) in saying that any such statement would be unfounded. The hon. Member who moved the Second Reading, and the hon. Member who seconded the Motion, cannot be said to have discharged themselves of the burden of proof, the conjoint duration of their united oratorical efforts having been about eight minutes. It may be right to alter the Jury Law of Ireland, of it may be wrong, but, certainly, we should not adopt a suggestion for alteration unless it is supported by some show of argument. The law and practice are that the Crown Solicitor shall exclude from the jury those likely to be influenced by fear, favour, or affection, and when it is said that there is greater reason why the right of challenge should be limited in Ireland than in England, I would point out that



there are, unfortunately, more classes of persons in Ireland who are likely to be influenced by fear of combinations, by favour, and by affection, than there are in England. I have had many interruptions during my speech, but I do not complain of them. I am always anxious to meet, as fairly and as far as I can, any argument brought forward from the opposite side of the House, and I always like to know what are the points hon. Members wish me to deal with before I sit down and exhaust my right to speak. But if the interruptions which have come from hon. Gentlemen opposite could be counted by the clock, I feel sure they would be found to have occupied quite as much time as the speeches of the Mover and Seconder, and perhaps to have been more to the point. With regard to these interruptions, I may remark this: It is said that the law may be the same in England and Ireland, but that the practice by which it is worked is different. Well, that is a question of fact as to which the House should not be influenced by any opinion of mine, and I have ventured to submit the testimony of two learned Queen's counsel on the point. I read part of a speech of Mr. Crompton, and I also quoted the hon. Member for Denbigh—and theirs is testimony the force of which hon. Gentlemen opposite, I think, will admit. I also read to the House the speech of Earl Spencer, who was responsible for governing Ireland, and he gave the result of his own inquiries into the working of the system. I think Earl Spencer's testimony overbalances the assertions which have been made by hon. Members opposite. I met with a passage in a speech delivered by the hon. and learned Member for North Longford, which, I think, is significant on this point. The hon. and learned Member was speaking to a meeting in County Wicklow, in October, 1888, and, according to a report which appeared in the *Freeman's Journal*, was denouncing what he called jury packing, and complained that every good Catholic was insulted by being told to stand aside as being unfit to serve as a jurymen, and he was interrupted by one of his audience calling out, "And every good Protestant too." Now what did his audience understand? Did they understand that jurymen were directed

*Mr. Madden*

to stand aside on account of religious belief? [An hon. MEMBER: Certainly.] But what did the interruption mean when the hon. Member was referring to the complaint of Catholics, did it not mean that objection was made to both Catholics and Protestants? What did it mean? [An hon. MEMBER: "Packing."] I should rather call it "unpacking," unpacking from the jury all those likely to be unduly influenced in the discharge of their duty as jurors. The power of the Crown has been exercised, and I trust will continue to be exercised, to exclude from the jury all those who, irrespective of creed or politics, would, from their position, be likely to be influenced in their verdict by fear, favour, or affection.

(4.0.) DR. COMMINS (Roscommon, S.): The right hon. and learned Gentleman seems very ingeniously to have avoided the whole point of the question. It is not a question whether the rules and directions given to the officers of the Crown are observed; it is a question whether jury packing exists or not; it is a question whether, instead of a system keeping out of a jury those influenced by fear, favour, or affection, you put into the jury box those who are influenced by interest, hatred, and antipathy towards the prisoner. This is the accusation made against the Government of Ireland; it is not an accusation of yesterday, it is an old accusation; numbers of unfortunate people are obliged to run the gauntlet of this system, and the same stereotyped excuse is always given. I am thankful that we have not heard one excuse; we have heard hundreds of times from the other side of the House, that it is simply by chance that a jury all Protestant are selected from a panel upon which half, at least, are Catholics. I have collected a few facts in relation to the doctrine of chances. Take an ordinary panel of 78, upon which the religions are equally divided, and suppose there is no intention of excluding one party, what are the chances against one party being excluded? We know that in certain trials, for instance the Maamtrasna trials, five consecutive juries, on each of which there was not a single Catholic, were selected from a panel where Catholics and Protestants were equally divided. An ingenious friend of mine has calculated the chances against 12

Protestants being selected by the ballot in five consecutive juries out of an equally divided panel of 78, and the chances are 110,099 to one.

\*(45.) MR. C. DARLING (Deptford) : I think an English Member may be excused for intervening in this Debate, seeing that it is allowed the law in England and Ireland is the same, and only the practice of ordering jurors to stand by differs. That is admitted, and I think it is most objectionable to apply the practice to Ireland alone unless there is something in the condition of Ireland or the condition of prisoners that makes it expedient to have this difference in practice. But experience which would justify the passing of this Bill would justify its application to England and Ireland alike. If it is bad to give the Crown the power of ordering jurors to stand aside without cause shown, why then it is bad altogether, and the Bill should apply to both countries. If there is any justification for the Bill, why not give us the grounds upon which you ask us to pass it, and why did not an English Member second it? The purview of the Bill is limited to Ireland because there is a difference of practice there, and, of course, it is obvious why there is that difference. The hon. Member who introduced this Bill gave us no reason why we should pass it; he only said it was the habit of the Crown in Ireland to order Catholics or Protestants to stand aside as the exigencies of the case seemed to require. But, even admitting this practice exists, to my mind that would not in itself be a reason for altering the law. What we want to induce us to make the alteration is, that some proved case of injustice should be brought before the House, not only that Catholics had been tried by Protestants, or Protestants by Catholics. In either case, it does not follow that the trial would not be a fair one; there must be something deeper than this. Hon. Members are at no loss in dealing with facts and in acquiring information where information is to be got. Why, if there is any case to which they can point under this or a former Government where a man owing to these religious differences was wrongfully convicted, do they not bring that case before the House? If they do so, I can only say—supporter of the Government as I am—that I will support this Bill. If they

bring before the House a case in which it can be plainly and distinctly shown that, owing to the action of the Crown in packing a jury with the political or religious opponents of an accused person that an unjust verdict was obtained, I would not for a moment support the maintenance of this law. [An hon. MEMBER: Joyce.] We have heard pretty well about the Joyce case; and if hon. Members are going to maintain that Joyce was wrongfully convicted, all I can say is they will have to argue their case at much greater length than now appears to suit them, and it will require much more evidence than has yet been brought forward to influence my vote. I know they have charged Lord Spencer with "burying in the grave the proofs of his own guilt," but they have made no attempt to show to the public of England that the conviction and punishment were unjust or unlawfully obtained by Lord Spencer through his legal officers. There are those sitting opposite now who were in office when this miscarriage of justice, if miscarriage of justice it were, occurred. They have had the leisure of opposition to re-consider the case, but I should be surprised if one of them should get up and express the opinion that while they were in office their own colleagues did procure the wrongful conviction of an innocent man in order to get a political opponent out of the way. I should be surprised to find the charge against Lord Spencer and his Law Officers repeated now. But although it is alleged as a reason for bringing in this Bill, that Protestants or Catholics may be ordered to stand aside, I cannot for a moment suppose that the fact of a man being the one or the other is the real reason actuating the Law Officers. The hon. Gentleman who has just sat down has told us that the fact that so large a proportion of Catholics being ordered to stand aside cannot be the result of chance. I should never have thought that anybody who had received a very large would maintain support. I can speak with merely sentence on the subject to which it himself some attention, and having, among downer, had to deal with question addressed by the expansions of towns, access land becomes valuable, and when no redress frequently can be obtained from the landowners, whose

themselves upon a jury, before whom a co-religionist from the parish is to be tried, it is a duty and obligation upon the jurymen to find a verdict for that prisoner, right or wrong. [*Cries of "No, no!"*] Well, unfortunately, we know perfectly well that it has been done. We know that the influence of many among the Catholic Priesthood has been used from the pulpit—[*Interruptions.* "It is not true." "It is a lie." "Quote a case."]

\*MR. SPEAKER: Order, order!

\*MR. C. DARLING: To impress upon their followers that the law, as administered, is an alien law, that they owe no obligation to it, and that they owe no obligation to the oath taken as a juror. If after this kind of incitement to the Catholic people, an incitement which has not reached Protestants, the majority of those who are directed to stand aside are Catholics, who can wonder at it? [*Cries of "It is not true. You dare not repeat that out of doors."*] What I dare repeat outside the House is not the question. There are assemblies even more turbulent than this where I should have difficulty in saying what I have said. But what I have said will go forth, and it may be denied by hon. Gentlemen where and when they please, here or elsewhere. We know that among the Catholic people from whom jurors are drawn a pamphlet has been circulated in which they are told to do exactly that which hon. Gentlemen now suggest that the priests never told the people to do. A certain Nationalist barrister, Dr. Council, wrote a pamphlet before the trial of Father M'Fadden, and we know the contents of that pamphlet. If hon. Gentlemen have not made themselves acquainted with it I may quote an extract, and I may mention that it has also found circulation in the *Leinster Leader*. Here is a passage—

"But the verdict, when given is a judicial act, and in this the jury are absolutely independent and above the authority of the Judge. This I propose to prove by showing that the jury in a criminal case have an unquestionable right to find a verdict of guilty or not guilty"

SIR W. HARCOURT (Derby): Perfectly true; they have.

\*MR. C. DARLING:—

"To find on the law and the facts or the case without regard to the direction and instruction of the Judge."

*Mr. C. Darling*

SIR W. HARCOURT: Hear, hear!

\*MR. C. DARLING: The right hon. Gentleman is learned in International Law, and, therefore, he knows both English and Irish Law. Does he mean to assert that the jury have a right to find on the law and the facts of a case without regard to the instruction and direction of the Judge?

SIR W. HARCOURT assented.

\*MR. C. DARLING: Then why does the Judge sit there and give directions on the question of law if the jury have a perfect right to disregard his directions? Does the right hon. Gentleman know what happens if the jury disregard the directions of the learned Judge on matters of law? The right hon. Gentleman has had some experience at the Parliamentary bar, but has not much acquaintance with the Criminal Law. If he had in practice before a Court occupied a tenth of the time wasted before Committees the right hon. Gentleman would know that when juries disregard the directions of the Judge upon a point of law their verdict will be set aside, and there is no limit to the number of times in which the case may be set down for trial, until the jury learn what the right hon. Gentleman has not as yet begun to appreciate—that they have no right to disregard the direction of the Judge on a matter of law? For this digression hon. Gentlemen opposite must thank the right hon. Gentleman. Among other things contained in this pamphlet is this, that every juror told to stand aside should protest against the insult to his honesty and intelligence, and should make this protest in such a way that it would be heard, not merely inside the Court, but out of it, and through the length and breadth of the United Kingdom. Now it is remarkable that when in cases such as those to which this pamphlet is addressed certain jurors were challenged, they did exactly what the pamphlet told them to do. And not only so, but when a jury had been obtained, such was the intimidation used, such was the spirit among them, such the false and heretical opinions upon matters of law and of fact and of the duty of jurors, that they were unable to agree upon a verdict; and so plain was the case that when the prisoners were afterwards put on their trial they pleaded guilty and admitted that all

alleged against them in law and in fact was true. Now I ask hon. Members who do not look on this as a piece of Party tactics to reflect when they are told that the law as regards juries in Ireland is not fairly administered, is it not necessary, is it not absolutely—[An hon. MEMBER: Ridiculous?]—no, that was not the word I was about to use. Is it not absolutely obligatory on hon. Members who ask us to vote for this Bill to show that it is not promoted with a desire to embarrass the Government, but because there is a genuine opinion that the law is bad and wrongly administered? Is it not obligatory upon them to get up and show that under this or a former Government some proved injustice did take place that there was some wrongful conviction not due to such occasional miscarriages of justice as may take place from mistakes of the jury or perjury of witnesses, failures to which all human institutions are liable? I put it to right hon. Gentlemen who have been responsible for the government of Ireland, and hope to be so again, can they possibly find it in their consciences to support this Bill without some case made out in its favour? The law in England and Ireland is the same, but the practice is different; but that arises from the necessities of the case. The division is not between Irishmen who are Protestants and Irishmen who are Catholics, but between Irishmen who are Fenians and rebels and Irishmen who are loyal subjects. So long as that is the case it is necessary that the practice in England and Ireland should show a divergence. For my part, I say, if the law is to be altered let it be altered in both countries at once; but it is not shown that the law is bad because differing circumstances cause a divergence in practice.

(4.28.) SIR W. HARCOURT: I did not intend to take part in this Debate and am not now going to discuss the Bill; but I cannot allow to pass without challenge such an extraordinary and ignorant statement as has been made by the hon. and learned Gentleman, of which a layman ought to be ashamed, not to say a lawyer. The statement which the hon. Gentleman contradicted was this: that a jury in a criminal trial had a right to find a verdict irrespective of the direction of the Judge. I should

have thought that there is no English citizen who does not know that that right is the foundation of our liberties. I have often heard it stated that practising barristers do not know anything of the principles of law. I would recommend the hon. Gentleman to get a copy of Lord Erskine's speeches. What was the fame of Lord Erskine founded upon except that he induced juries to find verdicts against the direction of Lord Mansfield. The whole liberties of England depend upon that. There is another case with which any ordinary English reader is acquainted. He has never heard of it probably. I recommend him to read a copy of *Holmes' Trial*. In that trial the jury found dead against the direction of Lord Ellenborough; and on a further trial the jury found dead against him a second time. And it is said in Lord Campbell's *Lives*, so far from the Judge having rough-handled the jury, the jury killed the Judge, who died of mortification because of their not having found in accordance with his direction. Really, Sir, it is shameful to delay a Bill which has for its object the amendment of the Jury Law, and that such ignorance should be displayed by Gentlemen who endeavour to talk out the Bill. That is all I have to say in reply to the hon. Member for Deptford.

(4.35.) The House divided:—Ayes 152; Noes 205.—(Div. List, No. 83.)

#### LOCAL AUTHORITIES (SCOTLAND) (ACQUISITION OF LANDS) BILL— (No. 74.)

##### SECOND READING.

Order for Second Reading read.

(4.45.) MR. MUNRO FERGUSON (Leith, &c.): Mr. Speaker, I regret that this measure should have come on so unexpectedly and at so late an hour. The subject was discussed at a recent Sitting on a Motion by the hon. Member for Dumfries, which received a very large measure of support. I can speak with some confidence on the subject to which I have given some attention, and having, as a landowner, had to deal with questions raised by the expansions of towns, when land becomes valuable, and when no redress frequently can be obtained from the landowners, whose

property surrounds the growing community. In nearly every case of a large town you find it rapidly expanding, and that the inhabitants are obliged to pay whatever price for the land they require that it may suit the landowner to ask. That constitutes in Scotland a very considerable public grievance, and I doubt whether many questions excite more interest than that of the ability of the inhabitants of large towns to acquire the land necessary for their requirements at reasonable prices. The Bill has three purposes. The first is the power of compulsory purchase. Under the machinery of the Bill it is provided that a valuation should be made of the land required for the town. This Bill does not deal with the wider question of taking land compulsorily for agricultural purposes; it simply deals with the question of obtaining land for the building purposes of towns. The second purpose is to deal with the question of unearned increment. We recognise in this Bill that you cannot deal with unearned increment which has accrued in the past, but provision is made for dealing with it as it may arise in the future. All existing interests are entirely safeguarded in the Bill; there is nothing which will convey any suspicion of confiscation in regard to anything that is proposed. The third purpose is that the land should be rated according to the actual value. That was one of the recommendations of the Housing of the Working Classes Commission, but no practical steps are now being taken to put that into force. This Bill has been reviewed in no hostile spirit by the Society of Solicitors, and there have been Petitions in its favour from a large number of persons, and I believe myself that it has the support of public opinion in Scotland. Speaking as a landowner, I feel satisfied that landowners will have nothing to complain of if this Bill be carried into law.

Motion made, and Question proposed,  
"That the Bill be now read a second time."

\*(4.50.) MR. HALDANE (Haddington): Mr. Speaker, I rise for the purpose of supporting the Motion for the Second Reading of this Bill, and, in doing so, I desire to explain two points of novelty which occur in it, and which I think are

*Mr. Munro Ferguson*

entirely new to the House. Machinery is for the first time provided for intercepting the unearned increment—a difficult problem, which is awaiting settlement throughout the country. Cases are constantly occurring in which, owing to the growth of a community, the owner of land finds the value of his land increased from 10 to a hundredfold without any effort of his own, and he puts this increased value into his pocket. The machinery of the Bill provides that the Local Authority shall be empowered to have lands valued with a view to subsequent purchase, and to purchase at any time within 20 years on the basis of their actual market value minus so much as is ascertained on the basis of the first valuation to represent the special increment due to the growth of the adjacent town. The increased value of such lands, due to the growth of the community, will thus be secured to the Municipality. The second point of novelty in the Bill has reference to the rating of unoccupied building land. It is unfair—and this point has been endorsed by the right hon. Gentleman the Member for West Birmingham—that building land should be rated at its actual value—the owner meanwhile biding his time till its value is so increased by the growth of the community as to make it worth his while to sell. The Bill proposes that the land shall be estimated at its capital value for building purposes and assessed at 4 per cent. of that value. The owner, however, is given the alternative of having the capital value assessed on the actual yield, and being assessed on 4 per cent. of that capital value, with the condition that the Local Authority shall, if it think fit, be entitled to purchase the land at such capital value so ascertained. These provisions seem to me equitable, and are calculated to meet the various cases of hardship which occur in Scotland. There is the case of the town of Cumnock, and other cases with which Members of this House are familiar. We have confined the provisions of the Bill to Scotland, because the drafting of the measure was a matter of considerable difficulty, but still the machinery of the Bill, with alterations in detail, would be made applicable to England. The Bill is, I venture to submit, absolutely devoid

of anything like confiscation, and, in view of the growing pressure of this enormous land question with which we are being brought face to face more and more every day, the Government would do well to assent to what, in principle, is a reasonable proposition, rather than wait till the pressure of outside opinion and a sense of injustice shall make it impossible to deal with the landowners.

(4.55.) THE SOLICITOR GENERAL FOR SCOTLAND (Mr. M. T. S. DARLING, Edinburgh and Aberdeen Universities): Mr. Speaker, the speech of the hon. Gentleman who moved the Second Reading of this Bill might have led the House to suppose that it is a very simple and innocent measure, but the hon. and learned Gentleman who has just sat down has pretty well disclosed the principles to which this House is invited to give its adhesion by affirming the Motion for the Second Reading. The hon. Gentleman who moved the Bill represented that it had three main purposes in view. The first is to allow of the compulsory purchase of land at the discretion of either the Town or the County Council. Whatever may be the views of the House as to the policy of giving such power, under limitation, I shall only point out that this Bill provides no limitations at all upon the amount of land that may be acquired by the Local Authority. They may buy a whole county if they are so minded, and have the means to do it. And the purpose for which they buy the land is in no way limited. They may lease it or sell it; in short, there is nothing in the Bill to prevent them embarking upon a course of land speculation. The Bill provides, no doubt, for control by a local tribunal, consisting of a Judge and a Surveyor, who are to be satisfied that the purchase is in the public interest; still, I think, the House will see that there is practically no limit to the discretion which the Town Council or the County Council may exercise, so long as they are able to satisfy the local Judge and the local Surveyor that what they are proposing to do is in the public interest. They may become large landowners, and lease out farms. That may be in the public interest, but it may be done without any sort of communication with Parliament, and it is to be left to

the arbitrament of the local Judge what is in the public interest. I think it is a most unfair duty to cast on the local Judge, because you bring him into conflict with the Local Authority, which is most undesirable. So much for the first purpose of the Bill. The purpose of the second part of the Bill is still more surprising. It is to enable Local Authorities to have a valuation made on any land within their area, with a view to ultimate acquisition, and the extraordinary part of the proposal is that, within 20 years of the valuation, the Local Authority is to be empowered to buy the land, not at its value at the time being, but at the reduced value if the land falls in value, and at the valuation if the land rises in value. Clause 12 of the Bill proposes that the price payable for land shall be the value of the land as between willing buyer and seller, less any increased value ascertained to be due to the increase or movement of population, or to industrial or other developments. Let it be supposed that a movement of population takes place within an area of a Local Authority, the effect of which is to raise the value of land in one part and to diminish it in another, and that a man owns property in both parts. Within the 20 years the Local Authority may come down upon him and claim land in the part in which the value has fallen at the reduced rate, while for land in that part in which the value has risen he will get no share of the risen value. He is, in fact, made to suffer for a fall in values which is due to industrial or other movements, but yet he will be prevented from reaping the benefit of an increase in value. Can anything be more unfair than that? Surely, it is in itself sufficient to justify the rejection of the Bill. I will not enter into a discussion on the doctrine of the unearned increment. It has never yet received the sanction of Parliament, and I do not think it is likely to receive Parliamentary sanction when introduced in this insidious manner in a measure which purports to have a different prime object. With regard to the third purpose of the Bill, I will only say a word or two. The object is to take hold of any portion of land near a town which could, in the opinion of the Local

Assessor, be said to have a certain value as building land. The Local Assessor is to be the sole arbiter under the Bill, and the moment he finds land of value for building purposes, he is to ascertain its capital value, whether prospective or otherwise, and the unfortunate landowner is again to take all the disadvantage. There is one very formidable objection to this part of the Bill, and that is, that it proposes to affirm a principle which is now under the consideration of the Select Committee on Town Holdings. It seems to me that it would be a very strange thing for the House to appoint a Committee to consider a principle, and, pending its determination, to affirm that principle. Now, the Town Holdings Committee, of which I have the honour to be a member, has been appointed to inquire into the question of imposing a direct system of taxation on ground rents, and on the increased value imparted to land by building operations. The reference to the Committee is, perhaps, not quite so wide as it would have been had the questions raised in this Bill been specially referred to it, but hon. Members of the Committee will bear me out in saying that we have given a very wide interpretation to the reference, and we are taking evidence on the point whether ground suitable for building ought not to be rated at more than its actual value. I think it would be most inconvenient to read this Bill a second time before the Committee has reported, and, for the reasons I have stated, it is impossible for the Government to assent to the Second Reading Motion.

(5.10.) **MR. J. B. BALFOUR** (Clackmannan): There are many questions of great importance involved in this Bill, and it is, therefore, unfortunate that the Debate on it should have come on at so late an hour as not to afford sufficient time for the full consideration of the question. But I have a suggestion to make which those who have brought the Bill forward are, I believe, prepared to accept. It is that the Bill be referred to a Select Committee. One can quite see from the present condition of public business that hardly any opportunity is likely to be obtained in this House for the consideration of the many proposals contained in the Bill. A great many of the objections raised by

*Mr. M. T. S. Darling*

my hon. Friend the Solicitor General for Scotland to the purposes of the Bill were rather in the nature of criticisms, which might be considered in Committee with a view to rectification. For instance, the question as to the limit of the powers to be conferred on Local Authorities is eminently one for consideration in Committee. No doubt some of the general questions involved in the Bill are fresh in the minds of hon. Gentlemen, inasmuch as there was lately a discussion on the Motion of my hon. and learned Friend the Member for Dumfries, in which they were fully considered. The fact of this Bill having been introduced prevented, I believe, the case of Scotland being specially entered on in that Debate, but still several general principles were affirmed, and the Motion was only defeated by the small majority of 15. I think that where there is such a division of opinion in the House this Bill might very well be sent to a Select Committee for consideration. I hold that the third point raised by my hon. and learned Friend is one which could not very well be argued out on a Second Reading Debate, that a Select Committee would be much more qualified to deal with all these points, because, even if it did not take evidence, it might be allowed access to the evidence given before the Town Holdings Committee. On the understanding that the Bill goes to a Select Committee I shall support the Motion for the Second Reading.

**\*(5.15.) MR. MARK J. STEWART** (Kirkcudbright): The Bill has come on very unexpectedly, and, consequently, the Scotch Members are taken somewhat by surprise. And it is not the first surprise this House has had to-day. The Bill deals with very important questions, and it is impossible to discuss it adequately at this hour. Still, if it passes the Second Reading I shall hail with pleasure its being referred to a Select Committee. There are many points likely to be raised which would not appear from a mere perusal of the measure. There is, for instance, the question whether one of the effects of the Bill would not be to prevent owners from improving their land, seeing that if they did so the Local Authority alone would reap the benefit. I venture to think the Bill would stop all improvements. Again, gross injustice might be done by means of the

powers it is proposed to give the Authorities over waste lands in the neighbourhood of towns—lands which are increasing in value every year. The compulsory taking of land might engender bitterness, and possibly strife, which would not pass away for generations. Again, there is the proposal as to unearned increment, which requires very careful consideration. On all these grounds I hope the Government will not assent to the Motion for Second Reading—at any rate if they do, that the Bill will be sent to a Select Committee.

\*(5.20.) MR. J. A. CAMPBELL (Glasgow and Aberdeen Universities): I agree with what my hon. Friend has said as to the impossibility of properly discussing this Bill in the short time at our disposal, and I, therefore, beg to move the adjournment of the Debate.

Motion made, and Question proposed, "That the Debate be now adjourned."

The House divided:—Ayes 210; Noes 168.—(Div. List, No. 84.)

Debate to be resumed To-morrow.

#### MARRIAGES IN BRITISH EMBASSIES, &c. BILL.—(No. 183.)

##### SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

\*(5.40.) THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The hon. Member in charge of this Bill has been exceedingly courteous in postponing it from time to time because it required our consideration. Her Majesty's Government have for some time had under contemplation the amending of the law relating to marriages in British Embassies and Consulates and on board Her Majesty's ships. The difficulty of dealing with this question has been increased by the various changes that have taken place of late years in the Marriage Laws of foreign countries; but, considering that it may be some time before we can deal fully with this question, and that this Bill deals with a recognised grievance, Her Majesty's Government are prepared to assent to its Second Reading on the understanding

that it will be necessary to introduce in Committee provisions to guard against undue extension or abuse of the system, and providing that full notice shall be given of the intention to celebrate a marriage at an Embassy or Consulate, that the *lex loci* shall be satisfied, and that registration shall be duly made.

Question put, and agreed to.

Bill read a second time, and committed for To-morrow.

#### REGISTRATION OF VOTERS (BOROUGH OF BELFAST) BILL.—(No. 153.)

Bill, as amended, considered; read the third time and passed.

### MOTIONS.

#### IRISH SOCIETY AND LONDON COMPANIES (IRISH ESTATES.)

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire as to the terms of the charters or other instruments by which their estates in Ireland were granted to the Irish Society and to the London Companies, and as to the trusts and obligations (if any) attaching to the ownership of such estates, and as to the mode in which the sale of their estates has been effected, or can be effected, consistently with such trusts and obligations as may be shown to have existed, or now exist."

That the following Members be nominated Members of the said Committee:—Mr. Clancy, Lord Elcho, Sir John Ellis, Mr. John Ellis, Mr. Elton, Mr. T. M. Healy, Colonel Laurie, Mr. Lawson, Mr. Lea, Sir William Marriott, Mr. John Morley, Mr. Sexton, and Sir Richard Temple.

That the Committee have power to send for persons, papers, and records.

That Five be the quorum.—(Mr. Akers-Douglas.)

\*(5.45.) SIR R. FOWLER (London): I do not intend to oppose the Motion, but I wish to make one or two observations upon it. If hon. Members will read the list of names they will see that seven of the 13 Members of the proposed Committee are hon. Gentlemen whose views on this subject are very pronounced, and it is therefore pretty clear what will be the nature of the Report. The hon. Member for North Longford is one of the Members. I do not complain of that, for I have a very high opinion of his talent and legal knowledge; but I venture to think that his colleagues will follow his lead on this matter. Certainly nothing can



come of the Committee's deliberations without legislation by this House, and I do not believe the Chief Secretary for Ireland is likely to bring in a Bill on lines suggested by the hon. Member for North Longford. Again, I do not think any legislation will be proposed during the life of the present Parliament, but I beg to give notice that whenever it is brought forward I, or my successor, if I am not here, will resist any proposition to take away property which we maintain is held by legal tenure—a tenure which has been declared legal by the permanent Law Advisers of the Crown, who held office when the right hon. Gentleman the Member for Newcastle was Chief Secretary, as well as under the present Government.

(5.47.) MR. SEXTON (Belfast, W.): I will not say anything as to the extraordinary attempt of the hon. Baronet to prejudge the decision of the Committee even before it meets. I desire only to ask if the Committee will sit to-morrow?

MR. AKERS DOUGLAS (Kent, St. Augustine's): I have made arrangements for that as far as I could. The decision does not rest with me.

Question put, and agreed to.

#### RESERVE FORCES ACT (1882) AMENDMENT BILL.

On Motion of Mr. Secretary Stanhope, Bill to remove certain doubts which have arisen under "The Reserve Forces Act, 1882," and for other purposes connected therewith, ordered to be brought in by Mr. Secretary Stanhope and Mr. Brodrick.

Bill presented, and read first time. [Bill 272.]

#### FIRE BRIGADES (EXEMPTION FROM JURY SERVICE) BILL.

On Motion of Viscount Curzon, Bill to exempt members of Fire Brigades from Service on Juries, ordered to be brought in by Viscount Curzon, Sir Edward Birkbeck, Mr. Dixon-Hartland, Mr. Sexton, Mr. Francis Maclean, Mr. Gully, Mr. Baird, and Sir Albert Rollit.

Bill presented, and read first time. [Bill 273.]

#### CHURCH OF SCOTLAND BILL.

On Motion of Mr. Finlay, Bill to declare the constitution of the Church of Scotland, ordered to be brought in by Mr. Finlay, Mr. Mackintosh, Mr. James Campbell, Mr. Parker Smith, Sir Charles Dalrymple, Mr. Thorburn, Colonel Malcolm, Mr. Hozier, Mr. Mark Stewart, and Mr. Baird.

Bill presented, and read first time. [Bill 274.]

*Sir R. Fowler*

#### EDUCATIONAL ENDOWMENTS (BANFFSHIRE)

##### BILL.

On Motion of Mr. Asher, Bill to make better provision for the administration of certain Educational Endowments in the County of Banff, ordered to be brought in by Mr. Asher, Mr. Duff, and Mr. James Campbell.

Bill presented, and read first time. [Bill 275.]

#### ECCLIASTICAL CONTUMACY BILL.

On Motion of Colonel Sandys, Bill to substitute deprivation for imprisonment for contumacy in proceeding under the Church Discipline Act of 1840 and "The Public Worship Regulation Act, 1874," ordered to be brought in by Colonel Sandys, Mr. Whitley, Mr. Wardle, Mr. Joicey, Colonel Sanderson, Mr. Abel Smith, Sir Robert Fowler, Mr. Alexander H. Brown, Sir John Kennaway, Sir George Baden-Powell, Mr. Charles Wilson, and Mr. Grotian.

Bill presented, and read first time. [Bill 276.]

#### PUBLIC ACCOUNTS COMMITTEE.

Third Report, with Minutes of Evidence, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 177.]

#### STANDING COMMITTEES (CHAIRMEN'S PANEL).

MR. CAMPBELL-BANNERMAN reported from the Chairmen's Panel that they had appointed Mr. Osborne Morgan to act as Chairman of the Standing Committee for the consideration of Bills relating to Law, and Courts of Justice, and Legal Procedure.

Ordered, That the Report do lie upon the Table.

#### INLAND REVENUE (DEATH DUTIES).

Copy ordered—

"Of Memorandum setting forth, for Death Duty Purposes, the practice of the Inland Revenue Department in dealing with the various interests connected with the Sale of Intoxicating Liquors."—(*Mr. Chancellor of the Exchequer.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 176.]

House adjourned at five minutes before Six o'clock.

## HOUSE OF COMMONS,

*Thursday, 15th May, 1890.*SALE OF INTOXICATING LIQUORS ON  
SUNDAY BILL.—(No. 87.)Order for Second Reading read, and  
discharged.

Bill withdrawn.

DEATHS FROM STARVATION  
(METROPOLIS).

Address for—

"Return of the number of Deaths in the Metropolitan District in the year 1889, upon which a coroner's jury have returned a verdict of Death from Starvation, or Death accelerated by Privation (in continuation of Parliamentary Paper, No. 136, of Session 1889).—(Mr. Talbot.)"

## QUESTIONS.

ROYAL COMMISSION ON NAVAL AND  
MILITARY ADMINISTRATION.

ADMIRAL MAYNE (Pembroke and Haverfordwest): I beg to ask the First Lord of the Admiralty whether he can state what action he proposes to take with reference to the suggestions and recommendations of the Royal Commission on the Administration of Naval and Military Departments so far as they relate to the Admiralty?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The recommendations of the Royal Commission, so far as the Admiralty was concerned, were four in number. They involved no change in the present system of administration, but suggested a more distinct recognition of the principles upon which the system is based, especially in reference to the position which the First Naval Lord occupies as chief adviser on all great questions of naval policy to the First Lord of the Admiralty. In order to enable him to give more time to this primary duty, they recommended that he should be relieved of some of the routine work hitherto attached to his office. Effect has been given to this recommendation, which was the only one that required any action to be taken.

VOL CCCXLIV. [THIRD SERIES.]

MR. CURRIE, MAGISTRATE OF  
HOWRAH.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India whether the Secretary of State is aware that complaint has been made against Mr. Currie, Magistrate of Howrah, of assault and use of abusive language to native gentlemen within the precincts of the Court, on the 6th of August last; whether the Lieutenant Governor of Bengal thereupon ordered an inquiry to be made by Mr. Clay, officiating Commissioner of Burdwan; whether Mr. Clay made such inquiry; whether it was of a public or private character; and whether the gentleman who made the complaint was examined; whether Mr. Clay has submitted a Report; and whether the Bengal Government have communicated such Report to the Secretary of State; and, if not, whether the Secretary of State will call for a copy of Mr. Clay's Report, or, if already received, will he lay it upon the Table of the House?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The Secretary of State has no information as to the facts stated in the question. If the hon. Member can furnish any sufficient ground for the statements the Secretary of State will inquire from the Government of India as to their truth.

## THE CRAWFORD CASE.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India whether any application has been received on behalf of Mr. Arthur Crawford, to be refunded the legal expenses incurred by him in connection with the Poona Special Commission; and, if so, what decision, if any, has been come to in the matter?

SIR J. GORST: The payment of Mr. Crawford's legal expenses was, in the first instance, refused by the Secretary of State, although, in consideration of his services, other concessions to his family were made. A further application has been since made on the subject, which is still under consideration.

MR. BRADLAUGH: Has any further decision been come to in this case? I have had a notice upon the subject upon the Paper for some time, but I have not had an opportunity of obtaining an expression of opinion upon it.

2 M

\***SIR J. GORST**: Yes, Sir. I believe that whenever the Secretary of State and the Government of India have made up their minds they will act without waiting for the discussion which is proposed to be initiated by the hon. Member.

**MR. BRADLAUGH**: May I point out that there are strong expressions contained in the Papers now before the House with reference to this matter?

**MR. BRYCE** (Aberdeen, S.): I should like to ask the right hon. Gentleman whether we are to understand that he intends, in the surprising course which he is taking, to lay down that there is no necessity for producing Papers in justification of the action of the Indian Government?

\***SIR J. GORST**: The hon. Member for South Aberdeen (Mr. Bryce) and the hon. Member for Northampton (Mr. Bradlaugh) somewhat exaggerate the importance of the matter. The only question now at issue is the cost which has been incurred by Mr. Crawford in the litigation which has taken place. Strong representations have been made to the Secretary of State upon that matter, and they are receiving proper consideration.

\***MR. BRADLAUGH**: May I ask whether what the hon. Gentleman terms "litigation" was not a series of charges against Mr. Crawford, a very high official, for accepting bribes from a number of Magistrates, and whether several of the Magistrates alleged to have been bribed have since been dismissed from the service of the State?

\***MR. MACLEAN** (Oldham): Is it not the fact that the Government of Bombay empowered a special tribunal to try Mr. Crawford on 33 different charges; is it not also the fact that he was acquitted upon 32 of those charges, and only partially convicted upon one—the 33rd—and did not the Secretary of State dismiss him from the Service, not on the ground of corruption, of which he had been acquitted, but on the ground, which he had himself confessed, that he was indebted to some of the native capitalists in his district for borrowed money?

\***SIR J. GORST**: Yes, Sir; all the questions which have been addressed to me are perfectly correct, and the particulars will be found in the Papers which have been presented to the House.

## THE GUARANTEED SOUTH INDIAN RAILWAY.

**SIR GEORGE CAMPBELL** (Kirkcaldy, &c.): I beg to ask the Under Secretary of State for India if it is true that the Government, having just bought up the Guaranteed South Indian Railway at a heavy premium, is about to give another guarantee to the same or a re-organised company, for the purpose of working the line; if the terms of the fresh guarantee are three per cent., and half of any net profit, after paying the guarantee; and if the result will be that the Government, being able to borrow at three per cent., and having paid for the line at the rate of 131 per cent., now gives to the company three per cent., plus the salaries of the directors, the patronage of the administration, and the chance of additional payment in case of profit?

\***SIR J. GORST**: Negotiations are now going on between the Secretary of State and the South Indian Railway Company, with the view of the latter conducting the management and working of the line just purchased by the Secretary of State. The terms of the agreement are not yet settled.

## SIRAJI RAO.

**MR. KEAY** (Elgin and Nairn): I beg to ask the Under Secretary of State for India whether his attention has been called to the numerous barbarities which have been committed by the present ruler of the Indore State, Siraji Rao, both before and since his installation; whether he is aware that, in consequence of the well-known brutal character of Siraji Rao, his late father, His Highness Tukoji Rao, had set him aside from the succession, and that, after his father died, his own mother begged that the Agent to the Governor General for Central India, Sir Lepel Griffin, would not recommend his installation to the Government of India, on the score that serious trouble would overtake the Indore State if he were made ruler; whether he is aware that Sir Lepel Griffin himself had, up to the date of the father's death, adopted the same attitude towards Siraji Rao as his own father and mother, although after that event he reported he was reformed; whether he is aware that one of the first acts of the new ruler was to dismiss and expel

from the Indore State all the trusted advisers of his father, and to endeavour to outrage and plunder the ladies of his late father's family, and to put in chains, and subject to starvation and public ignominy, the Revenue Officer formerly in charge of the Crown Lands, and that he has recently expelled from the State his own uncle, Sir Cassu Rao Dadasahib, K.C.S.I., to whom the Court ladies have been looking as their natural protector; and whether he can inform the House what steps the Government of India are taking to provide a prompt remedy for this state of affairs?

**SIR J. GORST:** The subject of this question is best known to the House as the Maharajah Holkar. The answer to the first paragraph of the hon. Member's question is in the negative. The attention of the Secretary of State has not been called to the "numerous barbarities" which are said to have been committed. The answer to the second paragraph is also in the negative. So far as the information in the Secretary of State's possession shows, no previous objection was made to the Maharajah's succession, which took place four years ago, either by his father or mother. The answer to the third paragraph of the question is that Sir Lepel Griffin recommended his immediate succession. In answer to paragraphs 4 and 5 I have to say that the Reports received from the Government of India do not bear out the allegations. The last Report, although not altogether favourable, shows a tendency to the improvement in the Government of the State; and no interference is at present contemplated.

**MR. T. M. HEALY (Longford, N.):** Upon a point of order, Mr. Speaker, may I ask whether it is regular to speak, as this question does, of "the well-known brutal character of Siraji Rao?"

**\*MR. SPEAKER:** Those words ought to have been omitted from the question. They seem to have crept in through inadvertence.

#### RAILWAY COMPANIES AND TELEGRAMS.

**SIR JOHN SWINBURNE (Lichfield):** I beg to ask the Postmaster General whether he will consider the advisability of entering into arrangements with the railway companies by which they would undertake to receive telegrams from the

public for transmission at all railway stations in the United Kingdom?

**\*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge):** In reply to a question which was put to me in this House on August 20 last, I stated that I was not in a position to enforce the performance of public telegraph duties at all stations. I also stated my belief that at many stations the railway companies did not possess the necessary facilities. I do not think I can now add anything except that I shall always be glad to receive and consider any application from the public for the establishment of additional telegraph offices at railway stations.

**\*SIR J. SWINBURNE:** In consequence of the answer I have received, I beg to give notice that I will, at the earliest opportunity, move that in the opinion of this House no further compulsory powers should be given to railway companies until such time as they have arranged to receive telegrams from the public for transmission.

#### THE CARDIFF POLICE.

**MR. CUNINGHAME GRAHAM (Lanark, N.W.):** I beg to ask the Secretary of State for the Home Department if his attention has been called to the fact that, about half-past one o'clock on the morning of the 2nd instant, three policemen, without the authority of a warrant, made forcible entry into the house No. 37, Mary Ann Street, Cardiff, occupied by Mrs. Driscoll, a widow, and her two sons, Cornelius and Daniel Driscoll; that the policemen, without waiting for the inmates to open the door, broke open the doors back and front, and when Cornelius Driscoll asked their authority for entering in such a manner, they replied in abusive language and refused to give any satisfactory explanation of their conduct; that the police made a pretence of arresting two men who were lodging in the house, and almost immediately discharged them without trial; that one of the policemen, No. 34, seized Daniel Driscoll violently by the throat when he attempted to stop them on the stairs until they had shown their authority; that Cornelius and Daniel Driscoll went immediately to the police station to complain, and that Inspector James, who was in charge, refused to receive their complaint, saying the police

had done perfectly right, and threatened to arrest the complainants if they did not leave the police station at once; that the matter was reported by letter to the Mayor and Town Clerk, and no notice taken of it; whether the policemen complained of and the Inspector who refused to receive the complaint are still on duty; if it is lawful for policemen to enter a house without being armed with a warrant, and if it be lawful, even with a warrant, to break open the door of a house without making known to the inmates the nature of the authority with which the police, who demanded admittance, are invested; and if he will cause inquiry to be made into the circumstances of the case?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the Head Constable that on the morning of the day in question a seaman came up to a constable in the street named, and said that he had been robbed of £9, and that the thieves had gone into No. 36 or 37. The constable, with two others, thereupon, having satisfied themselves that the thieves were not in the former house, knocked at No. 37. After waiting about five minutes, a man, who was passing by, having learnt what was going on, of his own accord, and without being asked by the police, forced open the door. Two men pointed out by the seaman as the persons who robbed him were arrested and conveyed to the police station, where the officer in charge did not think the evidence sufficient to justify their detention, and he denies having used any threat to the men. The men complained to the Mayor, who replied that the matter would be submitted to the next meeting of the Watch Committee. The police officers concerned are still on duty. I am advised that police officers in pursuit of an offender are justified, in urgent cases, in breaking into a house if, after announcement of their official character, admission is refused.

#### SLAVERY.

SIR GEORGE CAMPBELL: I beg to ask the Under Secretary of State for Foreign Affairs if it is true, as stated, that the Imperial East African Company have entirely abolished slavery in the territories under their influence?

*Mr. Cuninghame Graham*

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FER-GUSSON, Manchester, N.E.): Her Majesty's Government are informed that the British East African Company have approved a Proclamation issued by their Administrator in Zanzibar, with the assent of the chiefs of the peoples concerned, decreeing immunity from slavery within a certain area in the company's territory and beyond the 10 mile limit. It is understood that the Proclamation does not affect the status of slavery as now existent.

#### PUBLIC HOUSE (LICENCES IN SCOTLAND.

DR. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether it is true that, at a recent Licensing Court for the Airdrie District of Lanarkshire, Sheriff-Substitute Mair acted as Chairman, and, in the case of an equal vote for and against granting a new public house licence at Swinton, gave his casting vote in favour of its grant; whether it is true that, when the new certificate came before the Licensing Committee on the 2nd instant for confirmation, Sheriff Mair was present, and spoke in support of the application; and whether it is customary for Sheriffs or Sheriffs-Substitute, to sit as Judges *ex officio* in Licensing Courts in Scotland, or to interfere at confirming Courts?

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I must ask the hon. Gentleman to defer the question. I have not yet been able to obtain the information that would enable me to answer it.

#### POSTAL SERVICE AT NETHY BRIDGE.

MR. KEAY: I beg to ask the Postmaster General whether his attention has been called to the insufficiency of the postal service at Nethy Bridge, Invernessshire, in the matter of communication with the South; whether he will consider the advisability of authorising a despatch from Nethy Bridge by the train which leaves Nethy Bridge for the South on the afternoons of week days; and whether a despatch and delivery of letters at Nethy Bridge can be inaugurated, *via* Grantown and Boat-of-Garten, during the summer season, similar to the despatch and delivery by that route possessed by Dulnain Bridge, the distance

to be covered being smaller in the former than in the latter case?

\*MR. RAIKES: I have not received any application on the subject to which the hon. Member refers. Nethy Bridge has already two deliveries of letters, and two despatches to the South, and, on the whole, appears to be well served; but I am having inquiry made into the question of establishing an additional mail.

#### BETTING TELEGRAMS.

MR. SAMUEL SMITH (Flintshire): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the large number of telegrams which are sent through the Post Office with reference to bets and wagers; whether, in view of the enactment contained in 37 Vic. c. 15, 1874, declaring that—

“Where any telegram is sent with respect to (betting), every person sending, or causing the same to be sent, shall be subject to penalties;” he can take any steps for the more stringent enforcement of this Act; and whether he is also aware that the Post Office telegraph boys are run off their legs on racing days delivering these illegal messages?

MR. MATTHEWS: I am advised that 37 Vic., c. 15, 1874, does not render illegal every telegram respecting betting, but only telegrams inviting bets, and advertising the possession of special information or advice with a view to bets. With regard to telegrams that would come within the Act, I am informed by the Postmaster General that he has no reason to believe that they are numerous, and that there would be great difficulties, consistently with the transaction of telegraph business, in having such a complete examination made of all the different kinds of telegrams as would be necessary for a more stringent enforcement of the Betting Acts. The force of telegraph boys employed on racing days is always sufficient to prevent their being overworked.

MR. HOWELL (Bethnal Green, N.E.): Will the right hon. Gentleman bring in a Bill to abolish the Act if it cannot be carried out?

MR. MATTHEWS: I do not say that it cannot be carried out, but that a proper censorship would be necessary to carry it out.

#### IMPORTED MINERAL WATERS.

MR. WATT (Glasgow, Camlachie): I beg to ask the President of the Board of Trade whether he can state approximately the amount of mineral waters imported into the United Kingdom during the last financial year; and whether any duty is at present levied thereon?

\*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): Mineral waters imported into the United Kingdom are included in the Trade Accounts, with other goods unenumerated, and the Customs inform me that they are unable to estimate the amount. There is no duty on the importation of mineral waters.

#### H.M.S. MALABAR.

COLONEL ANSTRUTHER (Suffolk, Woodbridge): I beg to ask the First Lord of the Admiralty whether, on the occasion of the collision between H.M.S. *Malabar* with the 4th Battalion Rifle Brigade on board, and the French steamer *Erymanthe*, on the 19th January last, there was sufficient boat accommodation to have served the 1,450 military passengers on board, in addition to the ship's company?

LORD G. HAMILTON: It is estimated that the number of boats, including collapsible boats and rafts, carried by the *Malabar* at the time of her collision with the *Erymanthe* would have been sufficient to accommodate 1,443 persons. Doubts having been expressed as to the suitability of the Mends Artillery raft for prompt use in emergency, the Admiralty have recently arranged with the India Office to replace it, in the case of the Indian troopships, by four boats capable of carrying 500 persons, or 150 more than the capacity of the raft.

#### METROPOLITAN POSTMEN.

MR. OCTAVIUS V. MORGAN (Battersea): I beg to ask the Postmaster General whether he can state the number of resignations and dismissals of postmen in the Metropolitan District during the years 1885, 1886, 1887, 1888, and 1889?

\*MR. RAIKES: In reply to the hon. Member I have to state that during the year 1885, out of a body of 2,674 postmen in London the number of resignations was 24 and the number of

dismissals 28; in 1886, out of a body of 2,872 the resignations were 46 and the dismissals 24; in 1887, out of a body of 3,062, resignations 22 and dismissals 23; in 1888, out of a body of 3,201, resignations 44 and dismissals 31; and in 1889, out of a body of 3,429, resignations 33 and dismissals 21.

#### THE ENFIELD SMALL ARMS FACTORY.

**MR. CUNINGHAME GRAHAM:** I beg to ask the Secretary of State for War if he is aware that certain gross breaches of the Truck Act have taken place at the Royal Small Arms Factory, Enfield, and will he cause an inquiry to be made into the matter; if he is aware that Messrs. Metcalfe are reputed to have transacted business during the working hours of the factory; and if this is contrary to the Rules of the Ordnance Office?

\***THE SECRETARY OF STATE FOR WAR** (Mr. E. STANHOPE, Lincolnshire, Horncastle): Trading of any kind in the factory during working hours would be contrary to regulation. A charge under this head was recently preferred by a discharged workman against two brothers named Metcalfe; but on investigation it was not substantiated to the satisfaction of the Superintendent.

#### MR. R. F. CRAWFORD.

**MR. CONYBEARE** (Cornwall, Camborne): I beg to ask the Secretary of State for the Home Department if it is possible to make an inquiry into the mental condition of Robert Fitzgerald Crawford, now in Stow Asylum, as it is alleged that he is confined there whilst of sound mind?

**MR. MATTHEWS:** I am informed by the Lunacy Commissioners that the Medical Officer of the Asylum in question reported yesterday that Mr. Robert Crawford Fitzgerald, who is, they assume, the patient referred to, was insane. Any application in his behalf should be addressed to the Visiting Committee of the Asylum, who alone can discharge the patient.

#### CEYLON.

**MR. PICTON** (Leicester): I beg to ask the Under Secretary of State for the Colonies whether there is any objection to lay upon the Table of the House, or to place in the Library, Copies of all Administrative Reports of the Colony of

*Mr. Raikes*

Ceylon for the last five years, together with Mr. Moir's Special Report on the alleged starvation cases, with all the appendices?

**THE UNDER SECRETARY OF STATE FOR THE COLONIES** (Baron H. DE WORMS, Liverpool, East Toxteth): Copies of the Ceylon Administration Reports for the last five years, for which they have been received, 1883-1887, have been placed in the Library of the House, together with three copies of Mr. Moir's Report, in the form in which it was printed by the Government of Ceylon and forwarded to the Colonial Office.

#### THE FATAL RAILWAY ACCIDENT AT NEW MILFORD.

**MR. CHANNING** (Northampton, E.): I beg to ask the President of the Board of Trade whether his attention has been called to the inquest held at New Milford, on Monday, 5th May, on the body of Daniel Thomas, porter and labourer, who was killed by a train while crossing the yard near the fish stage, where a similar fatal accident occurred in 1887, and was then fully inquired into and reported upon by Colonel Rich; whether he has observed that one of the witnesses stated that it was the habit of the men to cross at this point, as the shortest cut from the fish stage to their homes; whether the Railway Company has repeatedly promised to carry out the recommendation of Colonel Rich to construct a footbridge at this spot; whether the Company have as yet begun this work; and, if so, within what time it will be completed; and whether, having regard to the risk shown by this second fatal accident, the Board of Trade will make further representations to the Railway Company or, by an amending Bill to "The Regulation of Railways Act, 1889," take power to order the construction of bridges or subways where the Inspectors of the Board report they are necessary?

\***SIR M. HICKS BEACH:** My attention has been called to the Report of the inquest upon the fatal accident which occurred on the 3rd instant. The Coroner states that on that day the unfortunate man had been employed at some distance from the place where he met with his injuries, that he had left off work for the day more than one hour previously, and had no business where he was. The

evidence attached to Colonel Rich's Report shows that the Company have warned their workpeople not to cross the metals but to go past the station by the waterside path. The Company are, I am informed, willing to make arrangements for the construction of a footbridge. With regard to legislation on the subject, the hon. Member is aware that I made a proposal last Session, with which it was not possible to proceed owing to the opposition of the Railway Companies, and I can see no probability of it being in my power to deal with the subject this year.

#### POOR RATE DEFAULTERS IN GOVAN.

MR. NOLAN (Louth, N.): I beg to ask the Lord Advocate how many poor rate defaulters there were in the combination of Govan, Scotland, on 20th June, 1889; how many of them subsequently paid their rates; what was the amount due on the said date; and what was the amount ultimately lost to the funds of the combination through defaulters during the year?

MR. J. P. B. ROBERTSON: I have not yet been able to ascertain the particulars, and must, therefore, ask the hon. Member to put down the question for Monday.

#### INLAND REVENUE OFFICERS.

MR. HAYDEN (Leitrim, S.): I beg to ask the Secretary to the Treasury whether a reply has been sent to the Petition from the Inland Revenue Officers praying for a redress of their grievances, which was forwarded to the Treasury several weeks ago; if not, what is the cause of the delay; and whether he is aware that grave discontent exists in the Inland Revenue Department?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The Treasury have been presented with this and other similar applications, which involve questions of the greatest importance, as well as a large increase of expenditure. It is obvious that proposals of so serious a character must need careful consideration, and the Treasury have not yet been able to arrive at a decision. The hon. Member is, no doubt, aware that the Royal Commission on Civil Establishments did not feel in a position to Report in favour of the prayer of the Memorial.

MR. HAYDEN: Can the hon. Gentleman say when a reply may be expected?

MR. JACKSON: No, Sir; I am afraid I cannot.

#### UNIVERSAL PENNY POSTAGE.

MR. SUMMERS (Huddersfield): I beg to ask the Postmaster General what is the estimated loss of Revenue to this country that would result from the establishment of a universal penny postage?

\*MR. RAIKES: Over and above the present loss on the Foreign and Colonial Mail Services maintained by this country, which is estimated at about £293,000 a year, the further loss which would accrue to the Imperial Revenue from the establishment of a universal penny postage rate for letters would probably be upwards of £400,000 a year.

MR. MUNDELLA (Sheffield, Brightside): Does the right hon. Gentleman, in that estimate, calculate upon any increase in the number of letters?

\*MR. RAIKES: I have answered that question several times already.

MR. MUNDELLA: Is the calculation based upon a loss so far as the present number of letters are concerned without taking into account the fact that more letters may be carried?

\*MR. RAIKES: Yes.

#### FOREIGN POSTAL SERVICE.

MR. SUMMERS: I beg to ask the Postmaster General what (if any) is the amount of profit derived by this country from the Foreign Postal Service?

\*MR. RAIKES: There is an estimated loss on the Foreign Service of more than £30,000 a year.

#### THE RAILWAY AND CANAL TRAFFIC ACT.

MR. TOMLINSON (Preston): I beg to ask the President of the Board of Trade whether he can now state when he will be able to submit to Parliament a Report of the complaints made to the Board of Trade under Section 31 of "The Railway and Canal Traffic Act, 1888?"

\*SIR M. HICKS BEACH: I have presented the Report to-day, and it will be circulated without delay.



## CONGO IMPORT DUTIES.

MR. SCHWANN (Manchester, N.): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been drawn to a telegram from Brussels, dated 11th May, appearing in the *Standard* of the 12th instant, to the following effect:—

"The *Indépendance Belge* to-day states that at yesterday's sitting of the Anti-Slavery Conference Baron Lambert, the Belgian Plenipotentiary, submitted a proposal having for its object the revision of the provisions of the general Act of the Conference in 1885, which imposed absolute liberty of commerce in the Congo basin, in the sense of empowering the States which possess territories in the Congo basin to levy an *ad valorem* duty on all imported goods. The British Plenipotentiaries warmly supported the proposal, which was accepted in principle by the German Plenipotentiary, who, however, reserved the final decision to his Government. The Representatives of Italy, France, and Portugal expressed themselves in the same sense;"

and whether it is true that the British Plenipotentiary warmly supported the proposal empowering States which possess territories in the Congo basin to levy *ad valorem* duties on all imported goods, contrary to provisions in the general Act of the Conference in 1885; and, if so, on what grounds did he base his support, and had he received instructions in that sense from Her Majesty's Government, and what were those instructions?

\*SIR J. FERGUSSON: Her Majesty's Government are under an engagement to keep the proceedings of the Conference secret until its labours are terminated. I regret, therefore, that I cannot make any statement as to what passed on the occasion referred to, beyond saying that the British Plenipotentiaries did not act without authority.

## H.M.S. BARRACOUTA—HOSPITAL ACCOMMODATION.

MR. HERBERT KNATCHBULL-HUGESSEN (Kent, Faversham): I beg to ask the First Lord of the Admiralty whether he is aware that nothing has yet been done to carry out the recommendation of the jury in the recent *Barracouta* case at Sheerness with respect to the hospital accommodation, and that, in case of accidents, the sufferers, if not military men, would still be sent to Chatham, although there has been, and is, ample

accommodation in the Military Hospital at Sheerness?

LORD G. HAMILTON: The hon. Gentleman has already put to me a somewhat similar question, which I answered on the 15th April. As recently as the year 1888, the Admiralty extended the then existing accommodation for patients at Sheerness, and they are of opinion that the Naval Infirmary is sufficient to meet ordinary requirements. In regard to the statement that there is ample accommodation in the Military Hospital for naval as well as military patients, I can only repeat that the number of beds in the Hospital is considered to only suffice in the ordinary course for the requirements of the garrison; and, therefore, it would not be desirable to ask the Military Authorities to receive Naval patients except in cases of emergency.

MR. H. KNATCHBULL-HUGESSEN: In consequence of the exceedingly unsatisfactory reply of the noble Lord, I will call attention to the subject when the Naval Estimates come on.

## THE SCOTCH FORESHORES.

MR. KEAY: I beg to ask the Lord Advocate whether he has yet completed his inquiries into the 14 cases of alleged infringement of the Act of 11 George 3, c. 31, submitted to him on 20th March and 4th April, in compliance with his invitation of 6th March; whether he is aware that Mr. Donald Paterson, the local agent of the landowner at Barra, is now threatening the fish curers of Castlebay with vigorous prosecution, in consequence of their claim to the free use of the foreshores below the highest high-water mark, and for the space of 100 yards on waste or uncultivated land beyond such mark, for the purposes of fish curing and of drying the fishermen's nets, &c., under the above-named Act; and whether, as the fishing season opens at Barra immediately, Her Majesty's Government will consider the advisability of taking some public action to protect those engaged in the fishing industry at Barra and elsewhere from interference and to secure to them the enjoyment of the benefits to which they are entitled under the said Act?

\*MR. J. P. B. ROBERTSON: I have this morning received information regarding the cases referred to in the first part of the question, but have not yet had time

to consider it; when I have done so I shall communicate with the hon. Member. As regards the particular case mentioned in the question, if the hon. Member will give me specific instances where prosecution is threatened, I will make inquiry.

#### VOLUNTEER BRIGADE PARADES.

MR. BROOKFIELD (Sussex, Rye): I beg to ask the First Lord of the Admiralty whether he can state the exact precedence to which a local corps of Royal Naval Artillery Volunteers would be entitled when taking part in a brigade parade composed as follows: one regiment of Yeomanry Cavalry, local corps of Royal Naval Artillery Volunteers, local corps of Artillery Volunteers, and two companies of Rifle Volunteers?

LORD G. HAMILTON: In accordance with the established order of precedence a corps of Royal Naval Artillery Volunteers would, in the case put by the hon. Member (a brigade parade of Yeomanry Cavalry, Royal Naval Artillery Volunteers, Artillery Volunteers, and Rifle Volunteers) rank immediately after the regiment of Yeomanry Cavalry.

#### NEWFOUNDLAND FISHERIES.

DR. TANNER: I beg to ask the Under Secretary of State for the Colonies whether fresh disturbances have broken out in Newfoundland in connection with the lobster fisheries; and, if so, what is the nature of the dispute; and what steps will be taken to remedy the evil?

\*SIR J. FERGUSSON: Her Majesty's Government have received no information of disturbances in Newfoundland in connection with the lobster fisheries.

#### DUTY ON EXCISE LICENCES.

MR. SUMMERS: I beg to ask the Chancellor of the Exchequer whether he will consider the propriety of still further carrying out the recommendations of the Select Committee of the House of Lords on Intemperance, by making a considerable increase in the duty on Excise Licences?

MR. GOSCHEN: A re-adjustment of the duty on Spirit Retailers' Licences was made in 1880, so the hon. Member will see that the alteration was made since the Report of the Select Committee, which was in 1879. An increase in those licences is not under consideration.

#### PUBLIC HOUSE PROPERTY.

MR. SUMMERS: I beg to ask the Chancellor of the Exchequer whether he will cause a valuation to be made of all existing public house property, in order that it may be possible for the Local Authorities to give practical effect to Clause 9 of the Local Taxation (Customs and Excise) Duties Bill, which provides that in estimating the value of the interest of any person in any licensed premises no account shall be taken of any increased value due to the operation of the Act?

MR. GOSCHEN: I venture to suggest to the hon. Member that this is a matter which would be better dealt with in Committee on the Local Taxation (Customs and Excise) Duties Bill rather than in an answer across the floor of the House.

#### THE A DIVISION OF POLICE.

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for the Home Department whether he has received any information from the Chief Commissioner of Police respecting an application which was signed by a number of constables of the A Division, asking the kind permission of their Chief Superintendent to be allowed to hold a meeting amongst the police of the A Division at Ambrosden Section House Police Station, for the purpose of discussing the Police Superannuation Bill; whether it is a fact, when the application was given to Inspector Boghurst to be forwarded to the Chief Superintendent, he, the Inspector, kept it back for some time, and what authority had Inspector Boghurst to do this; whether it is a fact that Inspector Boghurst was told, in the presence of a number of constables, by the Chief Superintendent, he was entirely in the wrong; whether it is a fact that they made a complaint against Inspector Boghurst at the same time to the Chief Superintendent of the way in which they have been recently treated by this Inspector; and whether he will cause an inquiry into this case?

MR. MATTHEWS: No, Sir; I have received no information from the Chief Commissioner on this subject. If Inspector Boghurst has in any way failed in his duty, it is a question of discipline which can be, and ought to be, dealt with

in the ordinary way by the Chief Commissioner. I see no reason for making an inquiry in the matter.

#### HONG KONG—CONTAGIOUS DISEASES ORDINANCE.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the Under Secretary of State for the Colonies what are the points of the Hong Kong Contagious Diseases Ordinance, 1889, it is proposed to alter by the new Ordinance directed by the Secretary of State?

BARON H. DE WORMS: The alterations in the Ordinance directed by the Secretary of State are so numerous, both as to form and as to the details, that the Ordinance will be repealed, and a new one enacted. It would be difficult to set forth in an answer all the numerous amendments; but their general effect will be to bring the Hong Kong law into agreement with the Ordinance No. 14 of 1888 of the Straits Settlements, which is printed at page 55 of the Parliamentary Paper H.C. 59 of 1889.

MR. JAMES STUART (Shoreditch, Hoxton): I beg to ask the Under Secretary of State for the Colonies whether he will grant a Return of Copies of further Correspondence, or extracts therefrom, relating to the Repeal of the Contagious Diseases Ordinances and Regulations in the Crown Colonies; and whether he will include therein the Hong Kong Ordinance of 1889, and the amending Ordinance if passed, and also Papers relating to the attempt on the part of the Municipalities of Singapore and Penang to re-introduce the system repealed under cover of a general health clause in the Straits Settlements Municipal Ordinance?

BARON H. DE WORMS: Papers will be presented shortly as a further Supplementary Return to the Address for Correspondence moved by the hon. Member in 1887. As I have stated in the House on former occasions, the Hong Kong Amending Ordinance has not yet been passed.

#### THE EASTERN SOUDAN.

In reply to a question by Mr. BRYCE,

Sir J. FERGUSSON said: The latest Reports show that there is still much in—  
*Mr. Matthews*

security in the Eastern Soudan and great distress. There are Dervish detachments still at Tokar and Handoub, who control the districts adjoining, and make occasional raids. Measures of relief will probably be necessary for the destitute people about Suakin for several months longer, but not to the same extent as at first. Work is given to those able to do it; the sick are treated in hospital; there have been many deaths. The Soudan Trading Company have made preliminary agreements with native chiefs for the cultivation of cotton, and with a view to open the trade route to Berber, but it is too early yet to judge what the result is likely to be.

#### ARMY STORES.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War whether his attention has been called to the circumstances of some grave irregularities which had existed for many years in the accounts for the coastwise freight of Army stores, and especially to the case of a contractor who charged £27 2s. 8d. for the freight from Woolwich to Tynemouth of articles valued at 15s. only, as reported by the Committee of Public Accounts; what action he intends to take to protect the Public Revenue against such practices in future; and whether it is the fact that the Treasury, having suggested the advisability of striking the name of such contractor from the War Office list of firms, it is proposed by the War Office, as stated in the Committee's Report, to merely require him as a condition of any new contract to make the repayment of this amount?

\*MR. E. STANHOPE: There was no doubt laxity, under considerable pressure, in the supervision of the shipments coastwise when carried out in private vessels. If my hon. Friend has seen the Report he will have noticed that steps have already been taken with the object stated in his second question. As soon as the defects in the system came to my notice this branch of the Service was re-organised. In the case referred to, the payment resulted from an erroneous calculation by the clerks in the Store Department, and the contractor has offered to refund what remained to him after his payment to the captain of the ship.

## VIVISECTION.

**MR. SAMUEL SMITH:** I beg to ask the Secretary of State for the Home Department whether the vivisection experiments on the local paralysis of the peripheral ganglia, and on the connection of different classes of nerve fibres with them, reported to the Royal Society on the 21st November, 1889, by Mr. J. N. Langley, F.R.S., were made wholly or partly in the year 1889, and, if partly, then what part of them; and whether, if these experiments were made in 1889, he will explain why, inasmuch as they were painful experiments, they were not included in Table III. of the Annual Report and Return under the Act 39 and 40 Vic. c. 77, under the head "pain," when Mr. Langley was making his report to the inspector?

**\*MR. MATTHEWS:** I have not been able, in the short time allowed to me, to ascertain the exact date of the experiments performed by Mr. Langley, but I will make inquiry. I presume, in the absence of any information to the contrary, that all the experiments with the exception of the six experiments on frogs as given in Table III. were under the ordinary licence, apart from a special certificate, i.e., they must all have been performed upon animals throughout under the influence of anaesthetics, and killed before recovery of consciousness.

## REVENUE FROM STAMPS.

**MR. BUCHANAN (Edinburgh, W.):** I beg to ask the Chancellor of the Exchequer in what way and in what proportions that part of the revenue, amounting to over £5,000,000, derived from stamps on deeds and instruments, on bills of exchange and promissory notes, on patent medicines, and from receipt and Inland Revenue stamps, for which totals for the United Kingdom only are given in the Report of the Commissioners of Inland Revenue, is apportioned in the Parliamentary Paper on "Incidence of Imperial Taxation," to England, Scotland, and Ireland; and what is the cause of the difference in the total of the tax revenue for Imperial purposes from the three kingdoms given by the above Paper at £72,729,488, and that given by the Secretary to the Treasury at £75,764,000?

**MR. GOSCHEN:** The revenue derived from stamps on deeds, &c., forms part of the total revenue derived under the general head of stamps, which, amounting to £12,240,954, as given in the "Incidence of Imperial Taxation" Return, was apportioned between the three kingdoms, as stated in the second part of that Return, according to the country in which the duties were collected. The hon. Member is aware that the figures in the second part of the Return related to the year 1888-9. The figure used by my hon. Friend the Secretary to the Treasury on Monday, May 5—namely, £75,764,000—was the estimated total of the tax revenue for the current year (1890-1), as against the year 1888-9, to which the Return relates, together with the taxes estimated to be applicable in aid of local rates (namely, Probate Duty, beer and spirit extra duties), that is—(1) payable into the Exchequer, £72,060,000; (2) applicable for local rates, as given in the first part of the "Incidence of Imperial Taxation" Return, £3,704,000—total £75,764,000.

## TOWN HOLDINGS COMMITTEE.

**\*MR. CHILDERS (Edinburgh, S.):** I had intended to ask the Lord Advocate whether it is the intention of the Government to refer the subject of the Taxation and Rating of Feu Duties and Ground Annuals to the Committee now sitting on Town Holdings, &c., on which there is only one Scotch Member, or whether they would consent to refer the subject to a separate Committee next Session composed to a large extent of Scotch Members; but at the request of the right hon. Gentleman I will postpone the question until Monday.

## ABERDEEN AND TRANSFER OF LICENCES.

**MR. ESSLEMONT (Aberdeen, E.):** I beg to ask the Lord Advocate if his attention has been directed to the decisions of the recent Quarter Session at Aberdeen, when several transfers of licences refused by the Burgh Court were granted on appeal; and whether, in view of the proposed Compensation Clauses in the Local Taxation and Excise Duties Bill, any provision will be made to prevent County Justices from imposing upon burghs which are counties in themselves,

liabilities for compensation on account of licences which, in the exercise of discretion of the burgh Magistrates are not required, and have been granted against the wishes of the community more immediately concerned?

\*MR. J. P. B. ROBERTSON: I have not heard of the decisions referred to in the question. The Quarter Sessions are the Statutory Court of Appeal in such cases, and it is impossible to distinguish between certificates granted by them and certificates granted by other competent Licensing Courts.

#### COUNTY VOTERS.

MR. RANKIN (Hereford, Leominster): I beg to ask the President of the Local Government Board whether the voters in an outlying portion of one electoral district of any county may record their votes at a polling place in another electoral district of the same county, when the position of the aforesaid voters is such as to render it difficult for them to record their votes at the polling place in their own electoral district, care being taken to keep the voting papers of the two districts quite separate?

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE, Tower Hamlets, St. George's): I am not aware of any statutory provision under which the suggested arrangement could be made.

#### OUTRAGE IN CRETE.

MR. SCHWANN: I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been drawn to the telegram in the *Daily News* of 12th May, with reference to Hassan Bey, the Turkish officer who outraged Marie Panandaki, to the following effect:—

“Canea, 8th May.

“No reparation having been made to the girl who was recently outraged by a Turkish officer, the Russian Consul has made a protest against the action taken by the Magistrate in the matter;”

whether the English Consul has added his protest and reported the circumstance as promised; and whether the Foreign Office will draw the attention of the British Ambassador at the Porte to the facts of the case and insist on the due punishment of the offender?

Mr. Eslemont

\*SIR J. FERGUSSON: Nothing in connection with this grave case has occurred to render expedient any representation at the Porte. Her Majesty's Consul has specially watched the proceedings in regard to it, and reported the arrest of the accused officer and his relegation for trial to the ordinary tribunals. It would be inconsistent with the whole course of administration by the present Governor General of Crete were there to be any failure by the Authorities to deal impartially with the case; and Her Majesty's Government can depend upon the Report of their own Representative concerning it.

#### THE LONDON FISH SUPPLY.

MR. HOWELL: I beg to ask the First Lord of the Treasury whether his attention has been called to some very remarkable statements made by Mr. J. Lawrence Hamilton, M.R.C.S., respecting the fish supply of the Metropolis; the deficiency of its markets; the enormous waste and the spoiling of fish, often delivered in a bad, and even putrid, state under the present system; increased cost, amounting to hundreds per cent., paid by the consumer, chiefly owing to rings of market middlemen, who pay only a fractional part to the fishermen; and whether, in view of the facts stated and the general abuses in connection with the fish trade, he will advise Her Majesty to issue a Royal Commission to inquire into the matter, and report as to the best means for protecting the interests of the fishermen, for cheapening and increasing the fish supply, to improve its quality, and generally as to the advisability of further fish-market accommodation in the Metropolis.

\*THE FIRST LORD OF THE TREASURY (MR. W. H. SMITH, Strand, Westminster): I am informed that the statements of Mr. Hamilton as to the fish supply of the Metropolis are, to say the least, highly coloured. Many of the questions raised by Mr. Hamilton have been already inquired into; and it does not appear that any more light would be thrown on the subject by the appointment of a Royal Commission. With regard to the alleged deficiency of markets, it is to be observed that, although new fish markets have been started, they have failed to compete with Billingsgate; and as to the waste of fish,

though there must be waste in such a trade, the fish condemned in 1889 only amounted to one in 334.

#### THE WHITSUNTIDE RECESS.

MR. J. E. ELLIS: I beg to ask the First Lord of the Treasury whether, for the convenience of the House, he will now state when the Government intend to propose adjourning for Whitsuntide and re-assembling again after?

MR. DILLON (Mayo, E.): Will the right hon. Gentleman, in answering the question, be kind enough to say what will be the business for next week, and especially if any Irish Supply will be taken before Whitsuntide?

\*MR. W. H. SMITH: I regret to say that in the present state of business it will not be possible for me to propose the adjournment for Whitsuntide before Friday, and it will then be necessary for me to ask the House to re-assemble on the following Thursday. The Irish Estimates will certainly not be taken until after the Thursday on which the House re-assembles.

\*MR. CHILDERS: Will the House adjourn on Friday after the Morning Sitting or after the Evening Sitting?

\*MR. W. H. SMITH: That must depend upon the progress of business.

MR. DILLON: Will the right hon. Gentleman give any indication of what the business next week will be?

\*MR. W. H. SMITH: We must ask the House, in the first place, to pass the Budget Bill, which is the most important business to be dealt with. There will be other business also—namely, Supply, possibly a Vote on Account, to be taken before the Adjournment. We propose to proceed with the Budget Bill tomorrow.

MR. H. GARDNER (Essex, Saffron Walden): Does the right hon. Gentleman propose to take the Tithes Bill at a Morning Sitting?

\*MR. W. H. SMITH: The Tithe Bill will not be taken before the Whitsuntide Recess.

DR. TANNER (Cork Co., Mid): I trust that, considering the congested state of business in this House, there will be no adjournment over the Derby Day.

#### IRELAND—DETENTION OF DUMMY SWORDS UNDER THE CRIMES ACT.

MR. DONAL SULLIVAN (Westmeath, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that the Custom House Authorities at Belfast have seized and detained two dummy swords forwarded by Messrs. Goff, of Covent Garden, London, to Mr. John Quirke, of Dungannon, who had ordered them for the purposes of a local dramatic entertainment; if Mr. Quirke informed the Local Constabulary, and also the Custom House Authorities, the purpose for which these swords were required; and if there is anything in the regulations made under the Peace Preservation (Ireland) Act which, under the circumstances, prevent the delivery of these swords to the consignee; and, if not, whether they shall be forthwith delivered?

THE CHIEF SECRETARY FOR IRELAND (MR. A. J. BALFOUR, Manchester, E.): I am informed that the swords referred to are not dummy swords, but disguised cavalry swords. They were detained in the usual course by the regulations under the statute quoted, which require any consignment of arms to be so labelled, and a written notice of the consignment to be given to the Custom Authorities had not been complied with. The Constabulary Authorities thereupon communicated with Mr. Quirke, who then informed them, as indicated in the second paragraph of the question. They pointed out to him the necessary course to pursue to obtain the arms. Upon that course being complied with the arms will be delivered to him.

#### DUNDRUM ASYLUM.

DR. TANNER (Cork Co., Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what medical classification of patients is adopted at the Dundrum Criminal Lunatic Asylum in Ireland?

MR. A. J. BALFOUR: The Inspectors of Lunatic Asylums report that the classification is the same as that adopted in other lunatic asylums.

DR. TANNER: Is it not the fact that the patients are divided into three classes—violent, semi-idiotic, and quiet?

MR. A. J. BALFOUR: I am not aware. I have no practical knowledge.

Dr. TANNER: I will put the question down again in order to afford the right hon. Gentleman an opportunity of answering it in a proper manner. I have now further to ask the Chief Secretary to the Lord Lieutenant of Ireland how many attendants were allowed out on leave from the Dundrum Asylum, on the occasion of the recent disturbance, when the band instruments were broken; what was the value of these instruments; what class were the patients who created the disturbance; what steps are taken usually to discriminate in the employment of violent and orderly patients; whether it is usual, in the asylum in question, when warder attendants are allowed out on pass, to fill their places *pro tem.* by men of the Royal Irish Constabulary, and how many attendants were on special and ordinary leave on the occasion in question?

Mr. A. J. BALFOUR: The Inspectors of Lunatic Asylums report that:—(1.) Eight attendants were out on pass when the instruments were broken, all patients, except the bandmen, being in bed. (2.) Original price £18; but the instruments had been long in use, and they can be repaired. (3.) The patients creating disturbance suffered from mania with excitement. (4.) Resident physicians discriminate as to the fitness for employment of violent and orderly patients by observation and experience. (5.) It is not usual to fill the places of warders on pass by men of the Royal Irish Constabulary.

Mr. WILLIAM CORBET (Wicklow, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if a Departmental Inquiry was held relative to the recent disturbance at the Criminal Lunatic Asylum, Dundrum, when the police were called in to quell the disturbance; what was the result thereof, and can the Report be laid upon the Table?

Mr. A. J. BALFOUR: One of the Inspectors of Lunatic Asylums inquired into, and reported on, the matter. The disturbance was not of a serious nature, and no Departmental inquiry was deemed necessary.

Dr. TANNER: Will the right hon. Gentleman inquire into the matter, and ascertain upon what grounds the police were called in, and whether, according to the evidence, the conduct of the warders was not most brutal?

Mr. A. J. BALFOUR: I must protest against the language used by the hon. Member.

#### BALLYCOTTON PIER.

Dr. TANNER: I beg to ask the Secretary to the Treasury whether it is a fact that Mr. Wolfe Barry reported that the cement used in the construction of Ballycotton Pier was bad, and that the concrete in some places little better than loose gravel; if it is true that the Board of Works are going to carry out Mr. Barry's recommendations relative to the old pier, at the expense of £700, and to ignore all suggestions concerning the new structure; whether it is a fact that the Board have stated they have no responsibility as regards Mr. Barry's recommendations about the new pier; and on whose recommendation, and by what authority, was the original statement made, that the old pier was entirely removed, which will now require £700 to remove?

\*Mr. JACKSON said he was not aware that Mr. Wolfe Barry reported that the cement used in the construction of the Ballycotton Pier was bad. There were two or three small portions in which the concrete was found to be defective, but he was informed this did not affect the stability of the pier. The Board of Works were deepening the harbour in accordance with the recommendations of Mr. Wolfe Barry. He was not aware that the Board had stated that they had no responsibility as regarded these recommendations. He was not aware that there had been any original statement—certainly not by him—that the old pier was entirely removed. The statement made was that the old pier had been removed in accordance with the specification of the contract. The deepening that was going on had reference not only to the foundation of the old pier, but to the rock.

Dr. TANNER: Will any of Mr. Barry's recommendations for remedying the defects of the new pier be carried out?

\*Mr. JACKSON: I am sure the hon. Member would not desire to spend money unnecessarily; and if it is found that the pier is in a satisfactory condition, it is not proposed that further expenditure should take place in regard to it.

Dr. TANNER: Am I to understand that Mr. Wolfe Barry is perfectly satisfied with the new structure?

\*MR. JACKSON: He has made certain recommendations in his Report, which has been presented to the House.

MR. FLYNN (Cork, N.): Has the hon. Gentleman any knowledge of the fact that a considerable settlement has taken place in the pier since his visit last year?

\*MR. JACKSON: No, Sir; I have no knowledge of that fact, and my information is completely to the contrary.

#### BOYCOTTING IN TIPPERARY.

MR. JOHNSTON (Belfast, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been called to an article in *Murray's Magazine* for May, entitled "Mad Tipperary," in which it is stated that Mr. Edward Phillips, a Protestant farmer of English descent, proclaimed at a meeting of the National League—

"Is refused the common necessities of life, the local chemist being afraid to make him up a prescription. The blacksmiths have declined to shoe his horses; . . . and he cannot even take his family to church, as accommodation for his horse and carriage is refused at the Cashel hotels,"

because he has refused to leave his home at the dictation of the League; whether it is true that—

"While the funeral of a little girl, the daughter of a constable, was taking place, volleys of stones were thrown at the sorrowing relatives as they stood round the grave."

Whether "a midwife refused to attend a constable's wife in her confinement," and "said she had been warned against doing so;" and whether he will lay upon the Table of the House a full statement of these and similar cases before introducing the Local Government (Ireland) Bill?

MR. A. J. BALFOUR: The Constabulary Authorities report that it is the case that the gentleman mentioned has been so boycotted at the dictation of the National League as to be refused the necessities of life; that the local chemist has been afraid to make up a prescription for him; that the blacksmith whom he used to employ has refused to work for him, and that the attendance of his family at church was interfered with as stated in the question. They report that it is also true that when a constable was burying his child in Tipperary graveyard, stones were thrown at the funeral party, and that a midwife refused to attend a constable's wife.

MR. J. O'CONNOR (Tipperary, S.): Arising out of the question, may I ask whether Phillips was not received at Connor's Hotel, Cashel, and supplied with every necessary; and whether, if the funeral of the girl was interfered with, and stones thrown at the police, any person has been summoned in consequence; if so, what sentences have been awarded, and if there was not a midwife who had always attended the constable's wife?

MR. A. J. BALFOUR: I am afraid that I am unable to answer the question of the hon. Member.

MR. J. O'CONNOR: The right hon. Gentleman says that the chemist refused to make up a prescription. Was he afraid to do so, or did he decline?

MR. A. J. BALFOUR: I have only given the Report as I received it.

#### FAIR RENT APPEALS.

MR. M'CARTAN (Down, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will state the number of fair rent appeals disposed of by the Chief Land Commission during the recent sitting at Belfast; the number of fair rents confirmed; the number of fair rents varied; and how many of these were reduced?

MR. A. J. BALFOUR: As the Chief Commissioners are on Circuit I have been unable to obtain the necessary Report, and must ask the hon. Member to be good enough to defer the question for a few days.

#### THE BLACKWATER.

MR. FLYNN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state on what date the last Report was supplied by Captain Johnstone, Inspector of Fisheries at Mallow, to the Board of Conservators of the Lismore District; and did it relate to the angling on the Banteer portion of the Blackwater River, and, if so, would he have any objection to furnish a copy of the last Report of Water Bailiffs Coffey and Murphy, made to Inspector Johnstone, relating to that portion of the river?

MR. A. J. BALFOUR: Boards of Conservators being Local Bodies the actions of their officers do not come within the cognisance of the Executive Government. I, therefore, regret that I am unable to supply the information sought by the hon. Member.



## THE BALTINGLAS UNION.

MR. BYRNE (Wicklow, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is a fact that at the last election of Poor Law Guardians for the Ballingule Electoral Division of the Baltinglas Union, County Wicklow, an appointment to a person named John Driver to vote as proxy for a person named Anne Hudson was lodged with the Returning Officer; and whether it is a fact that the document referred to purported to have been signed on the 1st February by Anne Hudson, though she died on the previous 3rd January; and, if so, whether he will direct inquiry to be made as to the author of the forgery, with a view to enforcing against the delinquent the penalties which the law prescribes for such offences?

MR. A. J. BALFOUR: I believe the facts are as stated in the first paragraph of the question. It is open to any person aggrieved to proceed for the recovery of the penalty provided by Statute, and in addition the papers will be laid before the Attorney General.

## THE CONVICT M'CAFFEY

MR. M'CARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the convict prisoner M'Caffrey, now in Downpatrick Gaol, whether he will state the nature of the disorderly conduct whilst *en route* to London and from London, for which he was punished; and what was the insubordinate conduct complained of in Pentonville Prison, for which he was placed in separation for nine days and lost 84 marks remission; what were the prohibited articles found in his possession, and for which he was reduced to second probation class for 203 days, besides the forfeiture of 360 marks for remission; what was the prohibited article found with him for which he was put two days on punishment diet; if he will mention the date of his last return to Downpatrick Gaol from London; and whether, since then, he has been sentenced to forfeiture of 746 marks of remission, also what period of remission these marks represent?

MR. A. J. BALFOUR: The General Prisons Board Report — (1) that the nature of the disorderly conduct on the occasion referred to was—

"Singing in the train going to and returning from London, and not desisting when repeatedly ordered to by the chief and other warders who were in charge."

(2) the insubordinate conduct referred to as having taken place in Pentonville Prison was—

"Persisting in talking whilst at exercise, and not desisting when ordered, necessitating his removal to another yard to exercise by himself."

The punishment referred to, namely, separation for nine days and loss of 84 marks remission, was for offences 1 and 2; (3) the prohibited articles were two pieces of lead pencil, two pieces of tobacco, and some paper with a communication in pencil thereon intended to be passed out of the prison surreptitiously; (4) the prohibited article on this occasion was tobacco; (5) April 18, 1889; (6) the 746 marks referred to have not all been forfeited since the convict's last return from London. Some were forfeited after his first return, but before his second journey to London. The period represented by the forfeited remission marks is 93½ days.

## AFFAIRS IN TIPPERARY.

MR. J. O'CONNOR: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the Report published in the *Glasgow Evening Citizen* of an interview which purports to have been held between its special reporter in Tipperary and District Inspector Gamble; whether District Inspector Gamble refused to inform Father Humphries, when asked by him, whether the report of the interview was correct, or not; and whether it is usual, or in accordance with the rules of the Irish police service that officers of that body should grant interviews to newspaper reporters? I also desire to know whether, as the Inspector made slanderous statements, the right hon. Gentleman is of opinion that he ought to be retained in the service?

\*MR. SPEAKER: Order, order! That is not a proper question to put, and it has already been struck out of the Paper.

MR. J. O'CONNOR: I desire to know whether it is intended to retain the services of an officer of this kind, who indulges in the practice of slandering the people of Tipperary?

\*MR. SPEAKER: That is not a proper question to put. I call on Dr. Tanner to put his question.

DR. TANNER: I decline to ask my question.

MR. J. O'CONNOR: I beg to say I will repeat the question to-morrow.

\*MR. SPEAKER: If the question were put in the proper and ordinary terms, no doubt it would be answered now.

MR. J. O'CONNOR: Will you allow me, Mr. Speaker, to put my question now as it stands on the Paper?

\*MR. SPEAKER: Certainly.

MR. A. J. BALFOUR: The Constabulary Authorities report that it is true that such an interview took place, and that the rev. gentleman referred to received the answer indicated in the question. There was nothing unusual in granting the interview.

MR. CLANCY (Dublin County, N.): Was it the object of the rev. gentleman to test certain statements made by the Chief Secretary, and is it the practice to give extraordinary facilities for making serious allegations against the Irish people?

MR. A. J. BALFOUR: I am not aware that the constabulary at any time have done anything to suppress the circulation of the truth. I cannot say what was the intention which animated the reporter in seeking the interview.

MR. CLANCY: What I complain of is that facilities are given to one Party and refused to another.

MR. T. M. HEALY: Has the Chief Secretary read the account of the interview, and does he approve of the language used?

MR. A. J. BALFOUR: I do not know what it was.

MR. T. M. HEALY: Then the right hon. Gentleman has not read the account of the interview?

MR. A. J. BALFOUR: No.

MR. T. M. HEALY: Will he make it his business to read it?

MR. A. J. BALFOUR: If hon. Gentlemen will put any questions on the Paper I will endeavour to answer them.

MR. CLANCY: I wish to give notice that I will call attention to the matter.

MR. J. O'CONNOR: May I ask the Chief Secretary to the Lord Lieutenant of Ireland whether complaints have reached him that the houses of

prominent Nationalists in Tipperary are at the present time continuously surrounded by policemen, from an early hour in the morning till after dark; that such people and their visitors are accompanied by policemen, who walk by their side, and when they stop to speak to any person or persons, they are told to "move on," and if they protest against this intrusion, are rudely pushed off the footpath on to the roadway; that the local leaders of the town are attended in all their movements by two policemen, who lie in waiting for them until they set out on their business, and should they go into the houses of their neighbours, are accompanied by them into the private apartments of those houses by these policemen, who persist in remaining, despite the protests of the owners of the houses; and whether this action of the police is according to instructions from the superior Police Authorities?

MR. A. J. BALFOUR: The Constabulary Authorities report that it is the case that, owing to the extensive system of boycotting which it has been attempted to establish in Tipperary, the local police have orders to closely watch all persons believed to be concerned in promoting the boycotting; but that it is not the case that persons are pushed off the footpath, nor do the police enter private apartments.

MR. W. O'BRIEN (Cork Co., N.E.): May I ask whether, in view of the extreme urgency of the whole question, the right hon. Gentleman will consider the advisability of referring it to a Special Committee of the House, or, if he pleases, to a Special Commission, which should inquire into the whole nature and origin of the struggle between the people and the police?

MR. A. J. BALFOUR: I am not aware that any doubt exists as to what the hon. Gentleman calls "the struggle" in Tipperary, or as to the incidents which accompanied it. I think the hon. Member would be the last to deny that boycotting, of which Father Humphreys boasts, exists in the locality.

MR. J. O'CONNOR: Have not the statements been made in most credible newspapers? I shall take an early opportunity of moving the adjournment of the House to call attention to the matter.

MR. T. M. HEALY: Is it not a fact that the *Times* sent over a special correspondent, who was so persistently harrassed by the police that he had to go to the police barracks to complain of it?

MR. A. J. BALFOUR: I never heard of it.

#### SWIFT'S HOSPITAL (DUBLIN)—ALLEGATIONS AGAINST MR. NEWLAND.

MR. CLANCY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, although on the 7th November, 1889, it was officially reported to Mr. Richard Owen Armstrong, J.P., a member of the Board of Swift's Hospital (Lunatic Asylum), Dublin, that the funds of the institution had been to a large amount misappropriated by the Secretary, Mr. Newland, and that although Mr. Newland himself reported to Sir Ralph Cusack, J.P., D.L., another member of the Board of Swift's, that he had been guilty of extensive defalcations in the funds of the hospital, the members of the Board of Swift's, at a special meeting, agreed to allow Mr. Newland to make restitution to the extent of £1,000 of the funds he had fraudulently misappropriated; whether such action of the Board was legal; whether he is aware that, in consequence of this action of the Board, Mr. Newland, on the 15th November, 1889, lodged in the Bank of Ireland a sum of £1,000 to the credit of the Board of Swift's Hospital; but, being subsequently declared a bankrupt, the Board of Swift's Hospital were obliged to refund the said payment of £1,000; whether the total loss to the funds of Swift's Hospital caused by Mr. Newland's frauds has yet been ascertained; and, if so, what is the total amount of said loss; can he explain how it happened that it was not until the 7th February, 1890, three months after the discovery of Mr. Newland's frauds, that the members of the Board of Swift's caused informations to be sworn against Mr. Newland, who meantime had absconded, and placed himself outside the jurisdiction of Her Majesty's Courts of Justice; and whether the Government proposes to take any action, and, if so, what action, in the matter?

MR. A. J. BALFOUR: These alleged matters of fact have not come under the notice of the Irish Government, and I

have no materials that will enable me to give the hon. Gentleman the information he requires.

MR. CLANCY: Will the right hon. Gentleman endeavour to obtain information, seeing that two or three of his political supporters are charged with felony?

MR. A. J. BALFOUR: I do not know what ground the hon. Gentleman has for that statement.

DR. KENNY (Cork, S.): If Mr. Newland is guilty of these frauds will he be removed from the Commission of the Peace?

MR. A. J. BALFOUR: Of course, if any information is brought to the notice of the Government, inquiry will be made and action if necessary taken.

MR. T. M. HEALY: Why should the law be enforced in a case of boycotting and not in a case of theft?

#### DR. GRIMSHAW.

DR. KENNY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether Dr. Grimshaw, Registrar General for Ireland, was appointed to that position on the condition of devoting his entire time to the duties of the office; whether he is aware that Dr. Grimshaw holds other appointments of an honorary character, and also holds, and has held since his appointment as Registrar General, other offices for which he does receive, and has received, remuneration, the duties connected with which demand for their discharge a considerable amount of time; whether he is aware that Dr. Grimshaw is at present a member of the Conjoint Committee of the College of Physicians and Surgeons, and is paid for duties in connection with said position a sum of £40 or £50 per annum; and whether it is the intention of the Irish Government to call upon Dr. Grimshaw either to resign his appointment as Registrar General, or relinquish the office above mentioned, and refrain in future from seeking or accepting any such appointments?

MR. A. J. BALFOUR: I must ask the hon. Gentleman to postpone the question. I have not been able to obtain the information, this question having appeared on this morning's Paper without previous notice.

## ARMY ADMINISTRATION.

SIR H. HAVELOCK-ALLAN (Durham, S.E.): I beg to ask the right hon. Gentleman the First Lord of the Treasury whether the Government propose to take any steps, during the present Session, to give effect to the recommendations of the Royal Commission on Army Administration, presided over by the noble Lord the Member for Rossendale; and whether he can give this House the assurance that no such steps will be taken until an opportunity has first been afforded, after ample notice, for a full discussion on recommendations involving such important Constitutional changes in the administration of the defensive resources of the country?

\*MR. W. H. SMITH: The Government are giving careful consideration to the recommendations of the Royal Commission on the Army and Navy. We are not yet in a position to say what the result of that consideration will be; but a statement will be made on the subject by my right hon. Friend the Secretary of State for War on the War Office Vote when that is reached.

## ARMY ESTIMATES.

\*SIR WALTER B. BARTTELOT (Sussex, N.W.): I should like to ask my right hon. Friend when he proposes to take the Army Estimates, especially the War Office Vote?

\*MR. W. H. SMITH: The War Office Vote on the Army Estimates will be taken as soon as possible after Whitsuntide, although I am not certain when the Army Estimates can be taken. I will, however, undertake that ample notice shall be given.

## REDEMPTION OF TITHES.

MR. EDMUND ROBERTSON: I beg to ask the First Lord of the Treasury is he will state the decision of the Government as to the proposed advance of public money for the redemption of tithe?

\*MR. W. H. SMITH: The President of the Board of Trade stated the other day, in reply to a question, that Her Majesty's Government were carefully considering the suggestions that had been made to them on this subject. If

it should be decided to make any proposal to Parliament, based on these suggestions, notice of it will be given before the House is asked to go into Committee on the Bill.

## THE LABOURERS (IRELAND) BILL.

MR. SUMMERS: I beg to ask the First Lord of the Treasury whether the House, having unanimously passed the Second Reading of a Bill allocating a fund under the control of the Land Commission, under the provisions of "The Irish Church Amendment Act, 1881," for the purposes of the Labourers (Ireland) Acts, it is the intention of the Government to abandon the clauses of the Land Purchase Bill which propose to apply the same fund in a different manner and for a different purpose; and, if not, whether the Government intend in any other way to give effect to the recent decision of the House?

\*MR. W. H. SMITH: I think it unnecessary to enter into any controversy with the hon. Gentleman as to the description he gives in his question of the occurrence to which he refers; but I may express the opinion that the Land Purchase Bill will survive the Labourers Bill, and that, therefore, it is quite impossible for me to assume that any other appropriation of the Church Fund will be made than that provided in the Land Purchase Bill.

## TREATIES WITH AFRICAN CHIEFS.

MR. BRYCE: I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to the rumours which have appeared in the public prints regarding Treaties or arrangements with Native Chiefs in the interior of Tropical Africa, alleged to have been recently made on behalf of Her Majesty or of any British Company; and whether he is now in a position to give the House any information upon this subject?

\*SIR J. FERGUSSON: It is understood that Mr. Stanley made certain engagements on his own behalf with Native Chiefs in the interior of Africa, but they were not made under any authority from Her Majesty's Government. I am not in a position to make any statement regarding them.

INDIGO RYOTS.

MR. BRADLAUGH: I beg to ask the right hon. Gentleman the Under Secretary of State for India, with reference to a Petition presented by myself to-day, signed by 518 of the Indigo Ryots of Jessore, containing certain grave allegations, whether the right hon. Gentleman will undertake to transmit the Petition to India in order that the Government of India may make inquiry into the circumstances stated therein?

\*SIR J. GORST: My noble Friend the Secretary of State for India has been supplied, by the courtesy of the hon. Gentleman, with a copy of the Petition to which he has referred; but as he is not in a position to form an opinion as to the genuineness of the Petition, or the truth of the statements it contains, he has referred it for inquiry to the Government of India.

THE NEW CODE.

MR. SYDNEY BUXTON: I beg to ask the right hon. Gentleman the First Lord of the Treasury whether there is any intention of taking the discussion on the New Code and the Education Estimates before Whitsuntide; and, if so, whether he can now state on which day the discussion will be taken?

\*MR. W. H. SMITH: We shall be very glad if it can be taken before Whitsuntide.

MR. MUNDELLA: I wish to appeal to the First Lord of the Treasury with reference to the fixing of a day for the discussion of the New Code on the Education Estimates. There are a great number of Members on both sides of the House who are much interested in the subject, and they are anxious that the discussion shall not be fixed for a day when there will not be a full attendance of Members, as there would not be immediately after the holidays. If the right hon. Gentleman cannot give an early day next week, will he fix a day after the holidays?

\*MR. W. H. SMITH: I am as anxious as anyone can be that the Code and the Estimates shall be discussed with a full attendance of hon. Members. If the right hon. Gentleman and his friends can assure me that the Budget Bill will be substantially disposed of this week,

Monday shall be assigned for the Education Debate, as that arrangement seems to be desired.

MOTION.

SITTINGS OF THE HOUSE (EXEMPTION FROM THE STANDING ORDER).

Motion made, and Question put,

"That the Proceedings on the Local Taxation (Customs and Excise) Duties Bill, if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order, Sittings of the House."—(Mr. William Henry Smith.)

(4.40.) The House divided:—Ayes 261; Noes 146.—(Div. List, No. 85.)

ORDERS OF THE DAY.

LOCAL TAXATION (CUSTOMS AND EXCISE) DUTIES BILL.—(No. 244.)

SECOND READING. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [12th May], "That the Bill be now read a second time."

And which Amendment was,

To leave out all the words after the word "That," to the end of the Question, in order to add the words "this House declines to assent to a Bill which provides by payment out of public moneys for the extinction of annual licences in the manner provided in the said Bill,"—(Mr. Cairnes.)  
—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate resumed.

\*(4.55.) SIR W. LAWSON (Cumberland, Cockermouth): Mr. Speaker, during the time of questions the Lord Advocate, in reply to a question which some one put to him from this side of the House, said that he objected to the word "compensation" in regard to the clauses of the Bill which is now under discussion. There has been a good deal of that sort of talk up and down the country lately. "Compensation" is a word which has been used with two meanings; but, so far as I can understand the Bill, it is a Compensation Bill, and I will give my authority in one sentence from an article in the *Times* newspaper—which hon. Gentlemen on that side of the House accept as an authority—published a very few days ago. It said distinctly—

"On the Second Reading of the Licensing Bill, the decision of the House will be clear and unchallengable, so far as the principle of compensation is involved."

It is clear enough what we are about. But before I discuss this compensation, I must make my earnest protest against the subject being discussed at all in this House of Commons. We hear a great deal, in our political jargon—very properly, I dare say—about the "mandate of the country." Now, what mandate has this House to take up this question? The subject was not raised in a single electoral address in 1886. Further, the Government tried to deal with this question two years ago, and their proposal for compensation was met with almost universal condemnation out of doors. As to this Bill, it comes before us most unfairly, but as it is before us, we must do our best for our constituents, and deal with the measure in a manner which will be best for the country. Now, the remarkable point about this Bill is that it is a Temperance Bill. [*Cheers.*] I am very glad to hear that cheer from my hon. Friends opposite. There has been a wonderful change within the last fortnight; they have all become great temperance reformers. It is a very encouraging sign. It is the first time I have known in this House a Government bringing forward what is avowed to be a purely Temperance Bill. How does it come about? There is the great Temperance Reformer, the Chancellor of the Exchequer; and he, when he brought forward his Budget, was so shocked at the drinking which goes on in the drinking shops licensed by the Authorities, that he said "Something must be done." It was a very interesting Debate that Budget Debate. It went through the usual course. I have been present at so many Budget speeches that I know exactly what takes place. The Chancellor of the Exchequer when he comes to the drink revenue rolls it like a sweet morsel under his tongue, and then—knowing that he must say something on the moral question, with, as Mr. Disraeli used to say, "a face arranged for the occasion"—in the next breath he proceeds to deplore the immorality which the drink traffic occasions in the country. I have seen this dozens of times, but it came out more

strongly than usual this year. I want to show what the effect of all this drinking is on the real, genuine Tory mind, not on the mind of the Liberal Unionist Chancellor of the Exchequer. The Member for Woolwich made a speech lately at the Blackheath Licensed Victuallers' and Beersellers' Protection Society—it was a Greenwich dinner—in which he said—

"If people had the means of enjoying all that God sent"—that was rum—"let them; and when the Chancellor of the Exchequer said there had been an increase in the Revenue because people enjoyed themselves, he was very glad to hear it."

Of course, an honest, fine old English gentleman was glad, and I honour him for his straightforward declaration, and I think the publican who went down to Greenwich was justified more than the Pharisee on the Treasury Bench. But I want to call attention to a remarkable fact. We are told that this Bill is brought in entirely in the interest of temperance. That is very extraordinary, because almost every Temperance Society in the Kingdom condemns it, as do also the men who have been working in the cause of temperance all their lives. Somebody says "Not the hon. Member for South Tyrone." Well, the exception proves the rule. I want the right hon. Gentleman opposite to explain how it is that the great bulk of the temperance world condemn his Bill, while it is warmly applauded by the drink sellers. Is it not likely that the men who devote most of their time to the consideration of the subject of temperance should know more about it than the men who devote their time to the sale of drink? So far as I know, the Chancellor of the Exchequer became an advocate of temperance on the 17th of April, and the noble Lord the Member for Paddington started on his career on the 29th. Are not those who have been advocates of temperance all their lives, and who have not a ld. or a fd. interest in the trade, but only look to the public good, as likely to be right as the Chancellor of the Exchequer and the noble Lord, supported by men whose income is endangered in the carrying out of measures of this sort? If we were discussing a private Bill upstairs, men interested in the trade would not be allowed to vote. They would have had nothing to say. If we were a jury trying a case, men

interested would not be allowed to sit on it; but when it is a question of a great monopoly against the nation, then the jury box is packed and crammed with the friends of the plaintiff. But before I go further I want to vindicate those who are sometimes called the Temperance Party from some remarks which were made on Tuesday by the hon. Baronet the Member for Manchester (Sir William Houldsworth). The hon. Baronet called us extreme temperance men, and I desire to clear that matter up. I do not profess to be a greater advocate of temperance than anyone else. We are all advocates of temperance, only we act in different ways. I have heard the right hon. Gentleman the Member for Whitehaven (Mr. Cavendish Bentinck) declare that he is one of the warmest advocates of temperance. It is only a question of how temperance is best promoted. The Party the hon. Baronet referred to was the Prohibition Party, and he accused us of having a cut-and-dried system, and of refusing everything but that, with the result that temperance is retarded. Well, I challenge the hon. Baronet to say what measure has ever been brought in, by what Member on either side of the House since I have been a Member, for diminishing the liquor traffic even by 10 minutes which I have not cordially supported and generally spoken in favour of. That is the right policy. I am for prohibition of the whole traffic. I would sweep it away to-morrow, and I make no secret of my opinion. But I am not a dog in the manger. I hold that half a loaf is better than no bread, and when I get one half I will go for the other half. I have supported the Sunday Closing measures, the shortening of the hours, and I even acquiesced in the proposition of the late Mr. O'Sullivan for keeping spirits in bond for 10 years, only I suggested an Amendment to keep them in bond for 100 years. I would ask the hon. Baronet, who spoke for the Church of England Temperance Society, whether he can say that he has supported all these measures in the way that the Prohibition Party has done? I am the President of the United Kingdom Alliance for the prohibition of the liquor traffic, and I believe that every hour or every 10 minutes taken from the

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publican is a benefit to the public. We make no secret of our view; we object to the liquor traffic, believing it to be the curse of the country; therefore, we support every measure with a tendency to diminish its volume. And now, as I am in a sort of justifying humour, I want to justify myself and my friends against a charge very often made against us. It is said—

“If the wicked teetotalers had suffered Mr. Bruce's Bill to pass, what a reduction of public houses there would have been.”

The noble Lord the Member for Paddington said—

“If that Bill had passed into law, the public houses in London would, in the year 1882, have been reduced from upwards of 10,000 in 1872 to about 3,000; in England and Wales, from upwards of 100,000 in 1872 to about 32,000.”

Mr. Bruce's Bill, in the first place, was for England only, and with regard to the diminution of the trade it proposed that certain holders of licences, who were described as publicans and as holders of limited publicans' licences, should not be interfered with for 10 years; but at the end of 10 years they should have a renewal of their licences for 10 years more, if they did not exceed one per 10,000 in towns and one per 600 in the country. Their allocation having been determined by the Magistrates, they were to be sold to the highest bidder. When the applications for these licences exceeded the proportions named, all the number exceeding one per 1,000 in towns and one per 600 in the country were to receive the assent of a three-fifths majority in a poll of the ratepayers. But that only referred to on-licences and houses which were supposed to supply nothing but drink. But the schedules showed that there were 17 different sorts of licences, and to four only of those 17 did those provisions apply. Any diminution which would have taken place would have been probably through the operation of the popular veto. So the House will see there is no justification for saying that that Bill of itself would have swept away so many licences as the noble Lord the Member for Paddington alleges. I want to show clearly what the policy of the United Kingdom Alliance was. It is said we were the cause of the overthrow of the Bill; but it will be seen that the great opposition came from the publicans before whom

the Government quailed. The United Kingdom Alliance, at that time, passed a resolution that the Council—

"Having fully considered the Intoxicating Liquors Bill, resolves that the friends of the Alliance be requested not to oppose the Second Reading of the Bill, with the intention of obtaining in Committee the insertion of an absolute veto for the majority of the ratepayers on the issue of licences for the sale of intoxicating liquors, and the equally absolute rejection of all compensation clauses."

That, I think, was the right attitude to take, and I hope we shall not be charged again with being the wicked people who prevented the Bill from passing. It was killed through the fear the Government had of the great publican power of this country. Well, what is the present Bill? It is a measure to apply public money for the supposed benefit of the public. But apart from the temperance point of view, when we begin to give Imperial taxation to be expended by Local Authorities we start on a very dangerous road. It is a sound Constitutional principle that those who raise the taxes should distribute them, and if you leave Imperial taxes to Local Bodies to distribute you will find that it leads to corruption, jobbery, and all sorts of evils. The object here, no doubt, is a good one, and I am glad the Government has recognised the necessity of diminishing the number of drink shops in this country; but the licensing system is for the protection of the public, and my case and the case of the Government is that that system has broken down. The President of the Local Government Board said that it is admitted on all hands that public houses are much too numerous, and I contend that the Magistrates have the power to reduce the number. I think I hear the President of the Local Government Board dissent from that statement.

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): All I said was that we do not interfere with that power.

\*SIR W. LAWSON: Then what is this Bill for? But I will go on with my argument. I say the Magistrates have the power, and they have not exercised it sufficiently. And now I come to the Solicitor General, whom I look upon as the greatest licensing authority in the country. He makes the greatest mistakes, and on that ground I consider him the

greatest authority. He tries to make out that the publicans have some legal right to the renewal of their licences, and he says no statement to the contrary can be found in any decision. The hon. and learned Gentleman plays on that word "decision," just as the Government are playing on the word "compensation." But in the Queen's Bench Division, on the 24th of November, 1882, there was a special case of inquiry into this very point, and Mr. Justice Field said—

"But in every case in every year there is a new licence granted;"

while further on he said—

"The Legislature recognises no vested right at all in any holder of a licence."

Now, I respect the opinion of my hon. and learned Friend very much, but I respect the opinion of a Judge of the land still more.

THE SOLICITOR GENERAL (Sir E. CLARKE, Plymouth): I daresay the hon. Baronet will allow me to say that I have Lord Field's authority, given to me yesterday, for saying in his name he never made the statement that there was no vested interest.

MR. T. M. HEALY (Longford, N.): Who was the reporter?

\*SIR W. LAWSON: Well, I do not want to squabble about it. We will put it all in the papers to-morrow. The Solicitor General said in his speech the other night that it was not competent for the Justices to take away a man's licence simply because they thought there were too many houses. But an authority sitting on the same Bench said in the course of the evening it was perfectly true that the Magistrates might refuse to renew a licence. That authority was the Solicitor General himself. Out of his own mouth I convict him. I think that when we have two such contradictory statements from the Solicitor General I am entitled to refer him to Mr. Justice Field, who used the words I have quoted, whatever he may say. The remedy for the present state of things has been provided in many cases. In many districts where there are landlords who wish to benefit their fellow-men, drinkshops have been prohibited, and the result is improved temperance and order and morality. The noble Lord the Member for Paddington (Lord R. Churchill) said the other night that he



looked on this power of the landlords to clear their estates of drinkshops as tyrannical. But has he ever heard a single complaint from such estates? I challenge him to bring forward dwellers on these estates who will say it is a tyrannical act on the part of a landlord to release men from the proximity of these houses. When I first brought this question forward in the House of Commons I proposed the Permissive Bill, which was nothing else than giving the people the power to clear out drinkshops. On that occasion I was hard put to for a Seconder, but Mr. Thomas Bazley was induced by the action of some work-people to put his name on the back of the Bill. They asked him whether he had not a village of his own from which he had kept out the public houses. He said he had, and he thought it a splendid thing. They asked him, "Do you not think that we working men ought to have the same privilege as you have?" He said, "Yes, I do," and he put his name to the back of the Bill. How do we stand now? The Magistrates will not reduce the number of licences; the House, so far, will not allow the inhabitants to have the veto; and now the Government come forward with the proposal to protect the people by this new system of purchasing the licences. The Government, in fact, say, "We will call upon the taxpayer's pocket to rectify the shortcomings of the Magistrates. That is the whole end and object of the Bill. The public, having permitted the publicans to carry on a lucrative trade, was now called upon to bribe them to go out of the business. I want to know what these men have done for the benefit of the country that they are to be endowed with a large sum of money? We sometimes give pensions to men for killing a great number of the enemies of the country, but these men have killed their own fellow-countrymen. I am supposed to use strong language about the trade; but I have not said anything so strong as has been said by the noble Lord the Member for Paddington (Lord R. Churchill), the new convert, whose language reminds me of what Sheridan said when he saw a Highlander in a large pair of trousers—"Converts are always enthusiastic." They talk about my language. Did I ever say that the trade was "devilish and destructive?" No; I said it was an injurious

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trade, and ought not to be carried on. But I am not a lord. Everyone who looks into this question uses strong language. Baron Dowse said from the Bench—

"The measure of the degradation of any district is in exact proportion to the amount of alcohol consumed in it."

My friend, Sir William Grantham, one of our English Judges, talked at Liverpool about "the unholy profits of that horrid trade"—meaning the trade of the publicans. Strong language from me, but all right from a Judge. The *Edinburgh Review* said—

"The liquor traffic, and particularly the retail branch of it, is a public nuisance physically, economically, and morally."

I am sure we are all justified in trying to get rid of a public nuisance. Charles Buxton said—

"The struggle of the library, and the church, and the school, against the public house and the beer shop is one development of war between heaven and hell."

That was almost as strong as the remark of the noble Lord the Member for Paddington. Now that public opinion is aroused on this subject, and there is a chance of something being done, the Government come down and demand compensation for these destroyers! Sir, I remember during the time the discussion was going on about slave-owning that two men were talking on the subject of compensation in a picture-gallery. The one who was against compensation took the other to the picture of the Egyptians passing through the Red Sea, and said "Look there; that is God's compensation to slave owners." It is only compensation, the system of purchasing up these licences, which we condemn; and we condemn it because, as it was very well put by my hon. Friend the Member for Barrow the other night, it is a financial barrier to the advancement of temperance reform. There is nothing complaining of a Suspensory Act in all the petitions and telegrams that are reaching Members, and I think the Chancellor of the Exchequer should not send out, lithographed from the Treasury Chambers, such circulars as that in which the following passage occurs:—

"He wishes to express his regret that the efforts of the Government to promote the cause of temperance, by placing stringent regulations upon the issue of new licences, should be

met with such hostility by those whom they might legitimately expect to find supporting them in a measure directed to such an end."

[*Ministerial cheers.*] Hon. Gentlemen opposite are very short-sighted when they cheer a sentence like that. They do not seem to understand the matter. Let us have a Suspensory Act by all means. But when we come to the question of compensation I ask who has licensed the public houses all these years? Not the people. The licensing has been in the hands of the classes, and the classes have licensed public houses, which have been the means of demoralising the masses. ["No, no," *from the Opposition.*] I am astonished that anyone could say "no" to that statement. Can any hon. Gentleman tell me of a single public house with the licensing of which a working man has had anything to do? I contend that the gentlemen of England, those of wealth and position, who have spent their time in licensing these places are worse than those who get drunk at them, for the tempter is always worse than the tempted. I am not attacking Gentlemen opposite. We are all of us guilty. It is clear, beyond a doubt, that the upper classes have produced these houses, and that the lower classes suffer most by them. I say let the Magistrates pay the compensation, if it is to be paid. The plan of the Government is revolting, odious, and repulsive, for by it this money is proposed to be raised by getting the people to spend more on these evil things. We are told that the publicans have an equitable and a moral claim. What is equity? I ask the Solicitor General. Speaking as a layman, I suppose it means an attempt to do justice all round? [The SOLICITOR GENERAL signified assent.] I am glad that the hon. Gentleman and I are agreed upon one point. But if justice is to be done all round, why should not justice be done to the people who have been injured by the public houses as well as to the publicans? If anybody is entitled to compensation it is the man whose property, by being next door to a public house, has been depreciated. Magistrates take care never to licence a house next door to themselves. A friend of mine, with whom I sometimes go on the stump, often says at a meeting, "I have a sovereign in my pocket, and I

will give it to anybody who can find such a Magistrate." One day a man wrote to me to claim the sovereign, saying he had found a drink shop next door to a Magistrate's residence. I wrote back to ask "Did he vote for the licence?" and I have never heard a word from that man since. Then there are the ratepayers, and the widows and orphans who suffered in the ruined homes. Is there to be no compensation for them? It is only your one-sided compensation I object to. But I would say to the Government: "Let bygones be bygones. If you let us alone we will let you alone. If you will not ask for compensation for the publicans, we will not ask for compensation for all the misery done by them." What precedent is there for this proposal? Was a single penny paid to the slave traders when that trade was abolished? When the Corn Laws were repealed, 40 years ago, did the great corn-growers receive any compensation? When gambling houses were done away with, did the proprietors get a penny in compensation? When the Factory Acts were passed, did the factory owners get any compensation? Take Mr. Plimsoll's law. I got a letter only this morning from a man who says that when that law was passed many hundreds of small owners of ships were utterly ruined by having their vessels taken forcibly from them by the Board of Trade, and no compensation was given to them. "Many of them," he says, "had to go to the workhouse." Fancy Lord Burton going to the workhouse. He says further, "I myself lost to the extent of £2,500 in this way." No one said they were entitled to compensation; they were doing an evil to the public, and they had to be stopped. You have passed many laws taking away privileges drink-sellers enjoyed. We have had all kinds of Bills. I remember Mr. O'Sullivan saying that if the Irish Sunday Closing Bill were passed hundreds of publicans would be ruined. I suppose they drink more on Sunday in Ireland than on any other day, and someone proposed there ought to be compensation, but I do not think a score of Members voted for it. Mr. Meldon got a Bill through which did away with a certain number of beershops in Dublin which were under a certain rating. Some hundreds were swept away, and not a penny of

compensation was given to any of the holders of the licences. But now I come to the gem. On the 10th of August, 1882, an Act was passed to put certain persons, who hitherto had been able to get a certain class of licences automatically by going up to the Magistrates, on the same footing as licensed victuallers. That Bill was proposed by the right hon. Gentleman the President of the Local Government Board (Mr. Ritchie). I see he remembers something of it. A poor man wrote to me yesterday. I will give his name, because I do not deal in anonymous letters. He writes from 32, Deansgate, Northampton, and his name is George Westall. He says—

"I was, myself, at the Brewster Sessions that year refused the renewal of two off-licences, on the ground that the Justices did not consider them necessary for the wants of the neighbourhood. I held each of the houses on lease at high rents. I had procured the licences by employing precisely the same machinery, and by as much an expenditure as any licensed certificate rendered necessary. My premises were fitted and adapted to the business at a considerable outlay of money, and I had surely as much right to expect a renewal from the Magistrates as any other licensee. It certainly never occurred to me to look in any quarter for compensation. If I had asked for it I should have been laughed at, and so I had to put up with the loss."

I hope the right hon. Gentleman will excuse me; these are not my words, but the words of Mr. Westall—

"Yet we have the same Mr. Ritchie, who cared nothing for the off-licence holder in 1883, because he was poor and lowly, and without the advantage of a strong union at his back, telling the deputation which waited on him as representatives of the Church of England Temperance Society he should strongly urge the necessity for compensation whenever the licensing question might be dealt with. I have been connected with the trade all my life—

he must be a respectable man—

and while asking you to excuse the length of this letter, and hoping you and your friends' effort to defeat the scandalous proposals of the Government will meet with the success it deserves,

I am, yours,

GEORGE WESTALL."

Now, what has the right hon. Gentleman got to say to that? He cannot speak again, but he may get the Home Secretary to explain what he is going to do for this poor man. At the very first Licensing Session that took place after the passing of the Act of 1882 the Magistrates of Darwen refused 34 off-licences.

*Sir W. Lawson*

The holders of these licences are wandering about the streets and workhouses at this moment, according to the President of the Local Government Board, and the right hon. Gentleman looks calmly on. I am astonished at him. He says—

"I believe public opinion will revolt against the iniquity of depriving men, women, and children of their livelihood by such a process as that which is favoured by the hon. Member for Barrow."

Unless he tells me he will subscribe to these poor people I shall think there is very little in this cheap outcry about people starving. This Bill is nothing less than an attempt to blackmail the people of this country in favour of the political supporters of the present Government. The Party opposite pretend to laugh at the demonstrations of the Temperance Party. But why do we organise demonstrations? Because we are boycotted by the Septennial Act, and cannot express our opinions at the poll. Let the Compensation Party try to get up a demonstration. You may not think much of our demonstrations, but I say of them that they are composed of *bona fide*, honest, earnest, working men. When you get up your demonstration in Hyde Park what will it be composed of? There will be a squadron of publicans and pot-boys, supported by the Church of England Temperance Society, and there will, perhaps, be a sprinkling of bishops. The procession will be brought up by the hon. Gentleman the Member for South Tyrone (Mr. T. W. Russell), and, probably, the Solicitor General will preside at one of the platforms. To demonstrate is all we can do. You may laugh. This is your day of power and triumph, and you are making the most of it. You will carry your Bill to-night. [*Ministerial cheers.*] I thought you would cheer that. But you will not carry the country. Why will you carry your Bill to-night? Why, because the flowing bowl is with you. But the flowing tide is with us. It is setting in very strong: it set in last week from the Bristol Channel, and if you persist with this atrocious Bill, I can tell you the flow of the tide will be fiercer, rapider, and stronger than anything you have any conception of. Yes, you will carry your Bill to-night. You will carry anything in this House with the support of those friends, whom the right

hon. Member for Mid Lothian described the other day as being "good enough to disperse themselves amongst us." But will that be the end of the matter? Does anybody out of a lunatic asylum believe that the Government will persuade the democratic electorate of this country to spend their hard-earned wages in pensioning off a lot of decayed publicans? I do not think so. The Chancellor of the Exchequer will not find the people of this country so easy to deal with. He can manage the fellaheen of Egypt, he can draw their life blood from them, but he will find the working men of England not quite so easy to deal with. Although this criminal conspiracy against order, justice, and morality may have a momentary success, I feel confident that the day is not far distant when your policy will be reversed, and you yourselves will be condemned by an outraged and an indignant nation.

\*(5.46.) THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. MATTHEWS, Birmingham, E.): I have listened with pleasure to the humorous parts of the hon. Baronet's speech, but to the peroration I cannot concede the like approbation. Much of the speech of the hon. Baronet was not relevant to the subject-matter of the discussion. It was irrelevant, for example, to discuss what Mr. Bruce's Bill has effected or not effected. It was equally irrelevant to enter into an argument as to the general principle upon which compensation ought to be levied in the event of the introduction of a measure dealing with licensed houses on a large scale, for the present Bill does not touch that principle. The hon. Baronet, while not niggard of praise to himself, distributed censure with a lavish hand on everybody else. The Local Bodies to whom the Government propose to give certain discretion he treated as bodies so given up to corruption and jobbery that no Imperial Tax ought to be entrusted to their care; the Magistrates he treated as persons who always neglect their duties and who have not enforced their discretionary right of refusal to renew licences; and on the unhappy publicans, of course, the hon. Baronet poured out all the vials of his wrath. The hon. Baronet described the publican as a man who kills numbers of his fellow-countrymen. I hope that was one of the hon.

Baronet's jokes. [Sir W. LAWSON: Not at all.] It was rather a lugubrious joke, and I trust that the hon. Baronet in his sober moments will not apply that description to the whole class of publicans. The hon. Baronet, coming nearer to the question under consideration, argued stoutly that there is no vested interest whatever in licences. Into the controversy on this point between the hon. Baronet and the Solicitor General I will not enter, for the Solicitor General is quite able to take care of himself, especially as he has the assistance of Lord Field. I shall confine myself to the only question raised by these clauses of the Bill. The measure does not touch the jurisdiction of Magistrates, or their right to grant or refuse either licences or renewals. If necessary, my right hon. Friend (Mr. Ritchie) will introduce words into the Bill to make this quite clear. What the Bill will do will be to sanction the use by a Public Body of money derived from drink for the purpose of extinguishing licences. The principle involved is by no means the principle of compensation. The principle that is involved is this: that a licence is a purchasable thing, capable of having assigned to it some appreciable value. Is that a true principle or not? I think the hon. Baronet will not deny that the practice of the trade has shown that licences are bargained for and sold in open market, and that large sums are paid for them, and these sales are permitted and sanctioned by the law. I invite the hon. Baronet's attention to the series of provisions in the Licensing Acts which facilitate, sanction, and protect such transactions. But it is said that a licence is altogether a precarious thing, so precarious that a Public Body ought not to be allowed to purchase it, especially with public money. In reply to that I have to say, in the first place, that this description of licences is not universally true. It is not true generally of Irish licences, and it is not true of the beerhouse licences protected by the Act of 1869. I do not say that they are numerous; but they are not to be left out of view when you are considering the question as a whole. I am not in a position to state the exact number or to give an answer as to the fact. They are not so few that we can disregard them in dealing with the question whether licensed houses are

held on so precarious a tenure that they cannot have any purchasable or assignable value. Then, take the case of an ordinary public house with an "on" licence. I will assume for the purpose of argument that the discretion of the Magistrates is, as is averred, an absolute discretion—not an arbitrary but a judicial discretion. I will assume that, but adding this: that although if that view is entirely correct, as I assume it to be, so that the strict legal right of the licensee is for a year only, I do not suppose any candid man on either side will deny that, at any rate at the end of the year, there is also the chance of a renewal. Now, is that chance of renewal a good, a valuable chance? On that question it seems to me the evidence is overwhelming in favour of the view the Government have taken. The law has been administered by the authorities selected by Parliament, the Licensing Authorities; and in practice now for a series of years those authorities have administered the law in this way: that they have practically not refused to renew licences, either in the first instance or on appeal, unless there has been some misconduct on the part of the licence holder. The right hon. Member for Derby indicates dissent to that, and he is an authority. I hope he will supply the House not with cases of "off" licences refused under a different set of Statutes like the Darwen case, but where the Magistrates have refused "on" licences on the ground that they were not required. Why, the result of the "*Sharp v. Wakefield*" case came on the public and the profession with surprise. Nobody conversant with the subject had ever come across a case of an ordinary publican's licence being refused on such grounds as that. Well, on the faith of this custom of the Licensing Authorities, money has been invested in the liquor trade. I ask the House whether that state of things does not constitute a ground for some reasonable expectation which has some money value. It is impossible to look through the Licensing Acts without seeing in the mind of the Legislature an intention that the licence should continue for more than a year. Take, for instance, the provisional licence granted on view of plans of a house not yet built. Does any hon. Gentleman really say, as a man of business, and not in mere technical language, that it is

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intended that the house built in accordance with those plans, should be enjoyed only for a part of a year? If the landlord of a cottager were to do that with his tenant, and turn him out at the end of the first year, I can fancy how the hon. Baronet would pour out the vials of his wrath upon that unhappy landlord. Take again the careful provisions to be found throughout the Licensing Acts for preventing a business lapsing, even in the event of default and wrong on the part of the licensee. If the licensee commits an offence against the Licensing Acts, and forfeits his licence in the middle of the year, there is a provision for another person being put in by the owner to continue the business till the next Licensing Sessions. Again, when one looks at the facilities which the Legislature has given for the renewal of licences, the same intention is evident. There was no appeal from a refusal to grant a licence originally, but there was an appeal from a refusal to grant a renewal. Why are the provisions, that the personal attendance of an applicant for a renewal is unnecessary, and that notice must be given to such an applicant if any objection to the renewal of his licence is to be made, inserted in the Acts? If the law is looked at, it will be seen that "chance" of renewal is a good, valuable, and appreciable chance. A paper has been put into the hands of Members this morning, showing how the interests of public house lease and free holders are calculated for the purposes of the Inland Revenue. From that paper it appears that public houses are assessed to the Property Tax at a much higher rate than houses used for other trades in the same street and side by side with the licensed houses. For the Succession Duty the annual values are capitalised on the whole life of the successor, on the presumption that the licence would so long last, and the tax is levied upon the successor upon that basis. For Probate Duty, the lease of a public house which has 43 years to run, has been valued at £543, and the goodwill at nearly the same amount, £500. The value of that house is, therefore, doubled within a few pounds by reason of its being a public house. It is, therefore, assumed that the licence will continue to be renewed, because without that licence the goodwill is worthless. It is impos-

sible to look at these facts without seeing that, for a series of years, the State has taxed public houses upon the assumption of an undefined continuance of the licence, and not a precarious tenure, and least of all a tenure for one year only. That the licence is intended to last only for a year, because it is renewable annually at the discretion of the Magistrates, is the most miserable technical argument that can possibly be presented to the House of Commons. The liquor trade has been put under restriction and control, and the system of licensing had been invented in part to get an annual duty for the Government, and in part to get the licence holder under proper police supervision. But, as Mr. Bruce said in 1871, the fact that the licence is an annual one is merely a "superficial fact," it is an accident that the term is so short, and it is not designed to limit the term, but to give frequent opportunity for correcting and reviewing the conduct of the licence holder, to see that the business is conducted in a proper and orderly manner. The licence is a restriction and not a boon. If it does give the holder a share in a species of monopoly, that is an accident and not a designed consequence. In 1830 there was free trade in beerhouses. That led to abuses, and then restrictions began to be put upon beerhouses, and finally, in 1869, beerhouses were put very much under the same restrictions as the ordinary public houses. All that series of restrictions was introduced for police motives, and by no means with the view of making the tenure precarious. Therefore, the conclusion I draw, both from the law and the practice, is that the "chance" of renewal has an appreciable money value, due to the manner in which the law has been administered, and to the way in which it has been understood by the public. For the House of Commons to ignore that chance would be to do injustice. What money value has that chance got? Here there has been extraordinary exaggeration during this Debate. I do the hon. Baronet (Sir W. Lawson) the justice of saying that I do not think his speech gives so much reason for complaint in this respect. For the greater part of the speech the hon. Baronet was floating far above the merely practical consideration of the Bill; but the hon. Member for Barrow has actually contended that the

Bill gives the publican a freehold in what ought to be regarded as an annual licence. No criticism was ever more groundless. The Bill actually fixes nothing as to the value which is to be given. County Councils are regarded with favour by hon. Gentlemen opposite. Do they think that body is so foolish that they will not be able to avail themselves of the ordinary means in the market to beat down the value of a licence they want to buy? Their agents will quote "*Sharp v. Wakefield*" to the publican, and will say, "Mind, you hold this licence by a precarious tenure. You will not get your licence renewed if you do not take care." They will also quote the hon. Baronet the Member for Cockermouth to him, and say, "Why, here are Local Option and local veto looming in the distance. You had better agree with your enemy while he is in the way with you. You had better take what is offered." As in any case of voluntary purchase, these arguments will be made use of by the purchaser in order to beat down the value of the licence he wishes to acquire. If the publican refuses to sell to the County Council it will be because he thinks that he will get more in the market. But, if he refuses a fair and proper offer, then the hands of the Licensing Authority will be very much more free, and a refusal to renew his licence will come with very much less harshness than it otherwise would come, because it will be said he had the opportunity of sale, and an offer he might have accepted, and he did not choose to avail himself of it. The hon. Baronet has repeated the argument, urged with much more force and precision by the hon. Member for Aberdeen, that there is no precedent for the State giving compensation in such a case as this, where the State has given to the licensee an unearned increment; that the State might take away that which it has given without recouping the licensee at all; and, therefore, that to compensate for doing so would be to make an unjustifiable use of public money. It appears to me that both the major and the minor premiss of his argument are false. In the first place, the State has, on many occasions, awarded *solatium* to those who have been deprived of that which was a free gift of the State. Officers, for instance, who held at the

pleasure of the Crown, when deprived of their offices have been repeatedly compensated, and there has been no objection raised by financial reformers. Again, it is not true that the added value is a gift by the State to the trade; it is the result of good management, of good liquor, and the chance of a favourable neighbourhood; without these circumstances the licence of a public house would be of very little good. But it must be remembered also that in most cases the person in possession of a public house is a purchaser who has paid hard cash, and who had earned the increment with his own cash. These arguments against the Bill, therefore, fail. In truth, it seems to me all these arguments fail as directed against this particular Bill, because they are the arguments of the extreme temperance advocates who take the most active part in this Debate. What the extreme party intend is that when that future comes to which the hon. Baronet's hopes are pointing, a scheme of such a drastic character shall be brought forward that the hon. Baronet does not like any measure to be passed by the House which bears even the appearance of a fair and equitable treatment of the publican. These arguments are fig leaves intended to cover the nakedness of the spoliation which the hon. Baronet intends. The opposition of the hon. Baronet does not rest upon any arguments going to the merits of the Bill; there was much that was amusing in his speech, but he has not addressed himself to the merits of the Bill.

\*SIR W. LAWSON: I spoke to the Amendment before the House.

\*MR. MATTHEWS: The hon. Baronet knows that the Amendment, if carried, must have the consequence of defeating the Bill. This Bill aims at diminishing, and will succeed in diminishing, the number of public houses, not only by the action of a popular Representative Body, but also in a more direct and forcible way still, namely, in giving public notice to all who are interested in the liquor trade that the state of confirmed expectation, if I may use that phrase, which law and practice have caused to grow up in the minds of those who are interested in that traffic, is now going to be put an end to. There is now a distinct warning that they are not to

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look to the renewal of their licences in the belief that a licence once granted will be granted as long as there is good conduct. Will any man go to the expense of building and equipping a public house with the chance of only carrying on the trade for a year? I repeat that this Bill gives explicit notice to the whole trade that hereafter their licences are to be for a year and for no more, and will thus prevent any man in his senses from starting a public house. It is a most efficient check. Indeed, I would suggest to my right hon. Friend that there may be a difficulty here from the tenure of a licence being so limited. But, to my mind, it is undoubtedly a provision that will prevent anything like an addition to the present number of public houses. The suppression of licences which will be caused by allowing a Public Authority, by judicious use of the means entrusted to them for the purpose, to buy them up on terms which they think reasonable has been underrated in my opinion. If we cannot carry with us the assent of men who are so warm and enthusiastic on this question as the hon. Baronet, I believe that all moderate men will agree that this plan is one which certainly makes an advance, and which is neither violent nor unjust.

(6.25.) MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): The right hon. Gentleman has in the course of his speech paid considerable attention to the speech of my hon. Friend who resumed the Debate to-night. The speech contained a fervent appeal to the right hon. Gentlemen, who was expected to follow him, an appeal founded upon an interesting and striking letter read to the House by my hon. Friend, the letter of a man who showed in what way the renewal of his licence had been refused—an offence, no doubt, but one subject to precisely the same conditions of law as an on-licence. No compensation had been given, and no compensation had been expected, and the right hon. Gentleman was asked how he could justify the withholding of compensation in such a case and the proposal in the Bill now before the House. I observe that the right hon. Gentleman entirely passed by that question. The right hon. Gentleman has quoted from a paper relating to the levy of increased duty by the Inland

Revenue Department, which he said is now in the hands of the House. That paper is not in the hands of the House; I mention this because it is impossible for me to take notice of a Paper which I have not seen and with regard to which I think the right hon. Gentleman has made a mistake. The question before us, Sir, is attended with some consolatory considerations. In the first place, there is no necessity for treating it as a Party question, and I, for my own part, have as little doubt of the sincerity of the intention of the Chancellor of the Exchequer to produce a diminution of the evils connected with the liquor trade as I have on the other side of the utter futility of the means he proposes, and not only of their futility, but of the extremely dangerous character of those means, and the certainty that they will produce a directly opposite effect to that at which they aim. Another consideration which undoubtedly is to me one of the most satisfactory is that this question is gradually assuming larger and still larger dimensions in the public view, and that the tide of opinion with relation to the drink traffic is undoubtedly a rising tide. Even this Bill is an acknowledgement of that fact; and, indeed, but for that fact you would not have heard of this Bill. But I think that that fact ought to instil into the minds of the Government, and the minds of the vast proprietary interests which the Government in the main represent on this occasion, prudential considerations with reference to the policy of dealing with that public opinion in its present condition rather than waiting for a time when it will have become more powerful and more formidable, and possibly more exacting. In the very able speech of my hon. Friend who moved this Amendment there were indications that he did not urge the House to adopt the extremest course with regard to the settlement of this question. I cannot help thinking that it would be wise on the part of the Government were they to take more cognisance of the actual state of opinion, and the probability that from their point of view the difficulties which they have before them will be greatly augmented with every year they suffer to elapse before they arrive at some settlement of the question. The right hon. Gentleman says the

Motion is hostile to the Bill. No doubt it is hostile to that which is regarded by the Government as a vital provision of the Bill. The President of the Local Government Board has said, and I understood the Home Secretary to echo the statement, that the Government will not persevere with the measure should this Motion be carried; but those right hon. Gentlemen know perfectly well that, although this Motion is directed against the main provision of the Bill, it is not intended to offer the smallest objection or opposition to any proposal on the part of the Government to deal with the question of subvention to County Councils for any of the purposes indicated in the Bill, except the one described in the Motion itself. Therefore, although the Motion is directed in its terms against the Bill, it does not bind those who support it to a condemnation of the entire plan of the Government, but it does absolutely bind them to exclude from it the plan for the purchase of public houses. The right hon. Gentleman the President of the Local Government Board did me the honour to quote, from speeches made by me about 10 years ago, passages favouring within limits of terms, and favouring, in some degree, the principle of compensation in its application to the liquor trade. I should have been much obliged to the right hon. Gentleman if he had mentioned two circumstances which, in my opinion, are one of them material and the other vital to the case now before the House. The one that is material is, that the law has been cleared and settled since that date in a manner which, in my judgment and in the judgment of most men, saving the distinguished exception of the Solicitor General, is highly unfavourable, not only to the doctrine of vested interests, which the Home Secretary shrinks from maintaining in those terms, but likewise to the doctrine of permanent interest on the part of the publican in an annual licence. What is much more important is that those expressions of mine were used, not with respect to a plan of the character of that now before the House, but with respect to a general and sweeping measure for the extinction of all public houses whatever. The right hon. Gentleman complains of the use of the term "compensation" in regard to the money that would be paid under this Bill. I have some



degree of sympathy with him; but I am not sure that if we withdraw the word compensation there is any word we could substitute for it that would be more acceptable to him. I rather incline to think that in the light of dry criticism there may be something in the plea he made that compensation is usually spoken of in compulsory as distinct from voluntary arrangements. That may be so; at the same time, the right hon. Gentleman knows that the public mind has embraced the term compensation as meaning, in connection with the liquor traffic, money paid for the extinction of licences; and it looks no further and does not go more nicely into the matter. The right hon. Gentleman said it was not an adequate description of the Bill to speak of it as one for granting compensation to publicans. It is really, in my opinion, a Bill for buying out an extremely small number of publicans upon those terms which the publicans themselves may fix. He says the buyer of those licences—that is, the County Council—will chaffer and huckster with the publican, and will use all possible means for lowering the price. But what are those means? It is very easy to talk of chaffering and huckstering in the market where there are two people, one of whom wishes to buy and the other to sell; but here there is only one who wishes to enter into a transaction. The publican does not wish to sell; the law has invested him with a perfect right to refuse to sell; the right to refuse to sell is absolute under this Bill, and he will refuse to sell until it is made worth his while. I am not using language of the slightest exaggeration when I say that, in my judgment, this Bill may be fairly described as a Bill for the endowment of public houses, or as a Bill to buy out a certain very limited number of publicans upon the terms which are agreeable to themselves and which come up to the measure which they take of interests that are involved. In answer to this the right hon. Gentleman suggested that if the publican refuses the offer of the County Council, that may be made a ground for the non-renewal of his licence. Will the right hon. Gentleman undertake to put into the Bill an Amendment to that effect? I think I may say he will not, and I hold that that fact demonstrates the shadowy and un-

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substantial character of the right hon. Gentleman's position. The right hon. Gentleman the President of the Board of Trade has said that we ought not to object to the payment of this money, this endowment, as I will call it, if the right hon. Gentleman prefers it to the term compensation, although if he does not object I will hark back to the term which is so rooted in the public mind—the right hon. Gentleman says we ought not to object to the payment of this money, which I call compensation, subject to the apology I have made, because it comes out of the drink traffic. I entirely object to that plea. I say this—that so long as I have known anything of the finance of this country, which has been nearly half a century, it has been a recognised and admitted principle that from alcoholic liquors, and especially from spirits, we ought to levy, not, as in other cases, the amount of duty most compatible with extended consumption, but the extremest amount of duty which will most limit the consumption; and therefore all that duty which can be levied up to the highest point is pre-engaged to the Public Service; and I would just as soon you undertook to pay this money straight out of the Exchequer, out of the Public Revenue, as that under a plea of this kind the revenue from the drink traffic should be used specially for the extinction of licences. Passing that by, I wish to point out that the two parties whom you bring into the market to deal together will not stand upon equal terms. The publican is contented with his position. What sort of houses will be chosen as the first subjects of the operations of this Bill? It will be the worst public houses, because they are the greatest nuisance to the neighbourhood; and likewise, in a large number of cases, they do the largest and most profitable business. So the Local Authorities will be urged by public opinion to get rid of these houses, and they will stand unarmed before the publican whose property they seek to acquire and whose chance of the renewal of his licence it is now for the first time proposed to convert into a solid, substantive property—a property in regard to which there are two alternatives presented, either to take it upon the estimate of the man who possesses it, or else to let it alone and allow the existing state of

things to continue. It appears to me that nothing can be more deplorable than the position of the County Council in such a case. They are perfectly helpless, unarmed, and have no means of beating down the extreme terms which will be proposed by the publican, as they naturally would be by any man who does not wish to sell to somebody else who wishes to buy. The publican may, therefore, get any price he may choose to insist upon, and he cannot possibly be moved by the apprehension that unless he sells he will be endangering the renewal of his licence. I do not believe there is a single Magistrate who would entertain the notion that such a refusal to sell at a price which the publican might conscientiously believe to be just should be used as a reason for withholding the renewal of the licence. What, then, will this Bill do? It will bring about an almost infinitesimal reduction in the number of public houses. I call it infinitesimal in the light of the figures of the hon. Member for Barrow, which have not been impeached, and which indicate that only a few scores of public houses can be dealt with in the course of a year if this Bill passes as it stands. If that be so, it would hardly do anything to operate upon the vast total of 70,000 licences, which, at the rate of 100 a year, it would take 700 years to get rid of. But the diminution in number, trifling as it is, will not entail a corresponding diminution in the drink traffic. The business of the remaining houses will be increased, and it will be enlarged to the full extent of the apparent numerical diminution of the houses. But there is a more important consideration. In my belief, from the moment that this Bill receives the sanction of the Legislature—and I am rather sorry that my hon. Friend who opened the Debate this evening was willing to concede so freely and fully that it would receive the sanction of the Legislature, for I still cherish some doubts and hopes upon that subject—

SIR W. LAWSON: I only spoke of the Second Reading to-night.

MR. W. E. GLADSTONE: I am grateful to my hon. Friend for having made his meaning clearer to my own stagnant intellect. I may be wrong, but it is my fixed, conscientious, and deliberate belief that from the moment when this Bill receives the sanction of

the Legislature it will add, and add largely, to the value of every public house in the country. Unquestionably I conceive, if that be true, it is an evil a hundredfold greater than any which the most sanguine advocate of the Bill could possibly anticipate from its rejection. What will be the state of things under this Bill, which, for the sake of argument, I will suppose to have become law? Here will be the County Council in the field with a certain limited amount in its purse, which it is legitimately and properly desirous of laying out in reducing the number of public houses, and here are the Magistrates also in the field; and with respect to them I presume it to be beyond doubt that they have the power to reduce the number of public houses by the non-renewal of licences on the conviction in their own mind, it may be, that their number is in excess of the requirements. But if they choose they need not assign any reasons; and there is no authority existing which can compel the Magistrates or the Licensing Committees to declare why it is that they refuse a renewal. The right hon. Gentleman says—"Oh, we have been most careful to keep alive in their full integrity the present powers of the Magistrates to withhold renewal." That may be all very well, and I have no doubt that it is perfectly true as far as the letter of the law is concerned. But will the right hon. Gentleman or the President of the Local Government Board tell me that the position will not be vitally changed in any particular town or licensing district? I take two public houses in exactly the same circumstances and of exactly the same value in the same district. The County Council has bought up one for a large sum of money. Will the right hon. Gentleman tell me that under this Bill the position of the Magistrates with regard to the non-renewal of the licence of the other will be the same? My contention is that it will be fundamentally changed. You have a vital change before you from the concurrent or the conflicting action of these two authorities. Take either alternative you like. Take the supposition that the County Council will buy, and that the Magistrates, paying no regard to what the Council has done, exercise their power

exactly as before. What will be the state of things then? Would that be endured? The public conscience of the country and the public peace of the country would not allow of it. With such a direct bearing upon personal and private interests, which are always so highly appreciated in this country, such anomalies could not exist for a moment. Take the other alternative, which is the probable alternative. Wherever the County Council buys, the action of the Magistrates and the moral power of the Magistrates will be paralysed. These things are true, whatever you may say about the difficulties of the case; and I agree with you about them. I agree that there are most grave and serious difficulties. But if these things are true it is beyond all dispute that any benefits which you may hope will casually arise from the concurrence of favourable circumstances in some given instance by the operation of this Bill are as nothing in comparison with the consequences that must follow upon its operation, and the effect that it will have of paralysing the jurisdiction in the withdrawal and non-renewal of licences—a jurisdiction which is now living and vigorous. Undoubtedly I sympathise with my hon. Friend the Member for Barrow, who, in his able speech, declared his conviction that the passing of such a measure as this would be to interpose a new barrier, formidable beyond all description, to the progress of temperance legislation. Now, my hon. Friend the Member for Barrow used an expression which has struck me. I have no doubt that he intends to reserve to himself a free discretion to refuse all compensation of every kind and sort, all allowances and arrangements, under any circumstances. But, at the same time, my hon. Friend is a prudent Member of Parliament and tactician, and, I have no doubt with perfect sincerity of purpose, he pointed out that the question of universal compensation is not the question now before us. It is a compensation by a money payment that is proposed in the present instance, and it is to that compensation that I shall limit myself. I may say a few words with reference to the possibility of a wider measure; but to me it is beyond all doubt and question that considerations come into force, when we take into view great changes of the

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law, and in the basis of the law, which have no existence now whatever. At present, as I understand it, the case of the Government is that the number of public houses is enormous. Yes, Sir; but something else ought to be taken into consideration. Why is it that the position of the public houses in this country of ours is different from and lower than it is in any country in Europe? That is the result of the management which we have followed, and the number does not in the slightest degree tend to mitigate that statement. I am one of those who see the utmost, incurable, radical, and profound mischief from what is called the publican's monopoly, and not through any fault of the publican, or, indeed, of any one. My firm belief is that as long as the monopoly, connected with private interests, belongs to the trade you will never have true and efficient police supervision exercised over the public-houses, and without that they must continue to hold the disparaged and unsatisfactory position which they do hold now, and have held for many generations. I lay down with some confidence this proposition—it appears to me indisputable. The publican himself, or the interests connected with him—and there is a very important distinction to be drawn—can have no claim whatever in respect to any contingency to which they are subject under the law as it stands. It is impossible, if there be a contingency which may befall the publican under the law as it stands, by the regular and legitimate exercise of that law, that in respect to it he can have a claim for compensation. How does he stand? He takes his licence subject to a number of chances. In the first place, subject to the limitations of Sunday closing and short hours. In the second place, he takes it subject to competition of a most formidable kind. He may have the competition of what may be called free licences, the system which was established in Liverpool some 25 or 30 years ago, when the Magistrates adopted, and for several years went upon, the practice of issuing licences to all persons who could bring certificates of character and whose premises were properly constructed. He is debarred on that account from compensation. Then he is exposed to another form of competition, which I conceive to be more for-

midable still. My right hon. Friend the Member for West Birmingham, at a very early stage of his distinguished political career, introduced a Bill for the purpose of establishing openly in this country what is called the Gothenburg system. The essence of that system is that no spirits shall be sold as private property, but that they shall be sold by public agents, paid for their labour by salaries out of public money, and that the profits shall be devoted to public purposes. It is possible that such a system might be adopted, but opinion was not ripe for it at that time. My right hon. Friend thought it to be the more prudent course not to ask for an experiment in Birmingham alone, but to extend it to the whole of the kingdom; and the House declined to entertain the proposition by a large majority. But suppose that such a Bill should be passed. Would the existing publicans have a claim to compensation? Not the least. Their legal position would remain as before. Of course, they have no claim to compensation if the licence be taken away for misconduct; and I was surprised at the argument of the right hon. Gentleman, who says that because an Act of Parliament provides for keeping alive a licence after misconduct till the conclusion of the year, therefore the publican has a further interest in its renewal beyond the year. The right hon. Gentleman seemed to think that there was on this side of the House a disposition to argue that there was something so essentially ingrained and inherent in a licence to sell spirits that under no circumstances could there be a permanent interest in it. The right hon. Gentleman very easily knocked down the man of straw whom he himself had set up by pointing out that there were licences in existence under certain conditions of law to which a permanence of interest undoubtedly attaches. The contention here is that nothing that can happen to the publican under the present law can by any possibility form a just ground for endowing him with public money in the event of his losing his licence from the working of the present law. Is it or is it not the fact that the Magistrates have free power, as was decided in the case of *"Sharp v. Wakefield"*? The Solicitor General, who represents the

extremest of extremes in this matter, has, I am afraid, the honour and advantage of occupying an absolutely solitary position. I do not understand that the Solicitor General goes the length of saying that the Magistrates have not the power of judging absolutely whether they shall or shall not renew the licence. If that be so, how is it possible that while the Magistrates have that power you can consent to appropriate large sums of public money for the purpose of standing in the place of that very power which is given by the law, with notice to the publican—because the publican must be conceived to have had full notice of whatever the present law contemplates and avows—and in lieu of which power you are going to create a new power for buying out the publican on his own terms, with the certain effect, first, of attaching an endowment value to every public house in the country; and, secondly, with the almost certain effect of paralyzing, absolutely and entirely, the active powers of the Magistrates? With regard to the question of compensation, my hon. Friend the Member for Barrow appeared, at any rate, to contemplate a state of opinion in this House under which it was possible that if a general measure was introduced some arrangement of time might be made which would soften the transition in the event of a certain and sweeping extinction of public houses. I am bound to say that I reserve my own discretion upon that subject. I think it is one thing to say the publican has not, and cannot by any possibility have, any claim whatever under the provisions of the law as it now exists in regard to the non-renewal of licences that does not at once carry with it the consequence that if you fundamentally change the character of the law you bring in a state of things which the publican has no means of anticipating—if, instead of referring the question to a tribunal which must consider the whole case, you refer it to the whole population, which would simply express its will, *sic volo, sic jubeo*, although I entirely agree that it is desirable that the public should be invested with the power, in some well-chosen form, of exercising that restraint which the landlord now exercises where he thinks fit. I do not feel called upon wholly to recede from what I have said on former occasions in regard to the position of the publican.

But this I must say. I cannot conceive any state of things in which the State authority would have the smallest duty or the smallest warrant for looking at anybody in these transactions except the man with whom it deals—that is to say, the man to whom the licence is issued, and on whom it imposes its responsibility. Further than that I do not think it necessary to go at the present moment. I do not enter into the question whether arrangements of time might be made which would attain the purpose, apparently not altogether anathematised by the hon. Member for Barrow, whom I cannot refer to, as I have done repeatedly, without expressing the obligation under which I feel the House and myself are to him for the extremely able speech in which he submitted his Motion to the House. I simply repeat that for the present day and at the present moment I am dealing with the compensation which is before us. Right hon. Gentlemen on the Treasury Bench have said that they do not concede that by voting this Bill you would be committed to general compensation under a larger measure. Well, it is always right to give to men the credit of sincerity, even when in giving them the credit of sincerity you seem to be under the painful necessity of denying to them the attributes of common sense. But unquestionably to me it appears, on the contrary, to assume the nature of an argument *a priori*. I can understand a man saying, "Oh, if you bring upon a publican a set of new conditions which he could never have anticipated, then you are bound to consider some modification of the effects of a sharp and sudden rule which totally alters the practice of a district." That I can conceive, although I refuse this compensation; but to say that you will lay down a law which shall involve in itself the principle that no licence can be touched otherwise than for misconduct, or by the limited power of non-renewal which the Government seem to allow, without a large payment of public money—

\*MR. RITCHIE: No, no; we do not say anything of the kind.

MR. W. E. GLADSTONE: What I understood the right hon. Gentleman the Home Secretary to say is that to vote for the present Bill does not at all commit the person so voting to a grant of compensation in case of the adoption

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of some very large measure of compensation with regard to public houses.

\*MR. RITCHIE: I understood the right hon. Gentleman to say that by this Bill we propose that no licence shall be touched unless bought out under the provisions of this Bill; whereas we have said repeatedly that so far as regards any powers the Magistrates possess they will still have those powers.

MR. W. E. GLADSTONE: But no licence can be touched, setting aside misconduct, and the power of non-renewal, which the Government admit, but which, in my opinion, they are about to paralyse. I would say of this compensation that it is totally without ground or principle. In principle it is most dangerous, totally unsupported by precedent; and, as allusion has been made to West India compensation, I should like to know what Parliament would have said to West India compensation if £20,000,000 had been placed in the hands of a public authority to go round among the West India proprietors and emancipate such of the slaves as they could satisfy the proprietors they did not need. That is the plan now proposed, without principle to support it, without precedent to recommend it, founded, I have no doubt, on the best intentions on the part of the Government, but so framed that it will work to defeat those intentions, to paralyse every valuable provision that is embodied in the existing law, and throw back the cause for, perhaps, even an indefinite period, the progress of which we have observed and registered from day to day, and in the great future triumph of which we have undoubting confidence.

\*(7.10.) MR. BARTLEY (Islington, N.): Sir, I shall endeavour to deal with this matter from a practical point of view, and the point from which I approach the subject is simply this. Will, or will not, this measure tend to reduce the amount of intemperance in this country? A good deal has been said, perhaps unnecessarily, in reference to the difference between compensation and buying out the publicans. I do not think that that is a matter which is deserving of much discussion. Whether we are going to compensate the publicans or to buy up their houses seems to me a matter of little importance. The real and the practical question before us is whether this measure

will tend to reduce the number of superfluous public houses; if it will have that effect, I, for my part, shall strongly support it. If, on the other hand, it can be shown that it will not have that tendency, I shall have no desire to support it. For many years we have been endeavouring to legislate for the reduction of the number of public houses. We have been told that there is a time coming when those unnecessary houses will be done away with, and many of us have been hoping that year after year something would be done to bring about so desirable a consummation. We are now told that if we will only wait a little longer we may have before us some wonderfully good and comprehensive measure that will operate with enormous effect throughout this country. I must say that I am somewhat sceptical as to these promises and prospects, and that I have little faith in such heroic legislative proposals. I think it much better that we should do what has to be done in a gradual and systematic manner. For my part, I should much prefer to see the public houses reduced in numbers by which I conceive to be the most desirable system, namely, by the action of the people themselves in ceasing to use public houses to the extent that has hitherto prevailed. Probably when the force of education and other means on which we may fairly calculate have been sufficiently brought to bear the difficulties attending the solution of this problem will be very much reduced. I think, however, we are all agreed that this process is not at the present moment sufficiently rapid. The hon. Baronet the Member for Cocker-mouth (Sir W. Lawson) has, I think, been very hard upon the Magistrates, and I think it very unreasonable to throw the blame on that body. During the last 20 or 30 years the whole tone of public opinion has undergone a distinct change in regard to this question. In former days licences were granted without consideration, no such questions as are now raised being brought before the public. People talk as if we were going to get rid of the whole of the public houses. There is a class of persons, of whom the hon. Baronet is one, who would absolutely abolish the sale of alcohol. But the great bulk of the people believe that alcohol is a reasonable article of diet, and, in moderation, may be fairly used. No

doubt, at the present time, there is too much drinking. When we see, by the Return issued in 1888, that 150,000 persons were annually convicted of intemperance, which shows there is a deal too much drinking. That represents one of every 173 of the whole population who have been convicted of the offence of drinking. If one out of every 173 of the population were found to suffer from some other disease, because intemperance is a form of disease, we certainly would have legislation to redress the evil. When we know, according to the last Return, that no fewer than 1,451 persons died from intemperance, 50 per cent. more than from smallpox, it is quite clear that there is a great evil in our midst. Where does this excessive drinking take place? There are practical and important considerations in connection with this subject. Though, as a people, we are more temperate, still the fact remains that there is excessive drinking amongst a small class of the community. I think the Chancellor of the Exchequer rather exaggerated the amount the people drink. I suppose we may say that half the population do not use alcohol in any form, being too young. Taking the other half of the population as using alcohol, I find that the amount consumed, on an average, per head of wine is 0·72 gallons; spirits, 1·92 gallons; and beer, 53·60 gallons. It would be well if all, or a great part, of the money spent in this direction were put into the Savings Banks. But if you distribute the amount consumed over the whole adult population nobody can say that it is an intoxicating amount. The whole consumption per day per head represents two teaspoonfuls of wine, a little over a table-spoonful of spirits, and one pint of beer. As prosperity increases, the consumption of alcohol may increase, in spite of the measures taken to prevent it; and, on the above consideration, it would not necessarily imply an increase of intemperance. I regret that not only the working people, but many others, last year caused the addition of £2,000,000 to the Revenue; still, in its very worst form, that only represents a third of a teaspoonful extra per head of the adult population. I hope I will not be considered disrespectful to the House if I refer to what we do ourselves. I find by the Report of the

Kitchen Committee that, in 1889, 11,827 dinners and 8,930 luncheons were supplied—or 10,000 luncheons and dinners. So that it would have meant the same thing had 30 men dined and lunched in this place for a whole year. On the ordinary average, we should only have consumed during the whole Session 10 dozen bottles of wine, less than 30 dozen spirits, and 44 barrels of beer. I am afraid I cannot give what we do consume. The Report contains this very remarkable sentence—

“There are no further details of which, in the opinion of the Committee, it is desirable that the House should be informed.”

We all will agree that hon. Members of this House are models of moderation in this matter, but I would venture to prophecy that the consumption by Members here is, at least, three times as great as the average of the whole community. If every member of the community consumed the average taken by Members of this House millions would be added to the Revenue of the Chancellor of the Exchequer. I resent the idea that the working classes are becoming more intemperate; I am certain they are not. A certain section do exceed, but the great bulk of the people, during the last few years, have become much more temperate. They do not agree with the hon. Baronet in giving up all alcohol, and they enjoy it reasonably, as they have a right to do. But the question is, Where is this excess among a small section of the community to be stopped? All will agree that the only way is by limiting the number of public houses at the corner of the streets in London, where “toping” goes on night after night, and where there is an altogether illegitimate use of alcohol. That is really the principle of the present Bill, though I do not believe the measure will lead to a rapid reduction of the consumption of alcohol. It is impossible to suddenly alter the habits of the people; you must work upon the new generation by taking away a certain number of these temptations from the different parts of our streets. Some say this should be done in a drastic manner, without compensation. But we have this fact staring us in the face, that for 20 years we have been trying to do it without success, and the fact remains that public houses are as numerous now as they were 20 years

*Mr. Bartley*

ago. [No.] The hon. Gentleman who says “No” I am afraid knows very little about it. By a Return published three or four years ago, it is shown that in five years the number of licences of all sorts was only reduced by 1,500—a comparatively small reduction; and the number of public houses in these is a very much smaller number. The hon. Member for Barrow has circulated a letter in which it is stated that it would take £250,000,000 to do away with public houses. I will go so far as to say that it might be desirable to do away with public houses to the amount of £100,000,000. Supposing we borrowed the money at 3 per cent. and 1 per cent Sinking Fund; and supposing we reduced unnecessary drinking by 10 per cent., what does that mean? It means a reduction of about £14,000,000 a year, even according to the hon. Member's exaggerated estimate. Instead of £3,000 per house, I think £1,500 would be much nearer the mark; but with the amount given by the hon. Member we would be able to get rid of houses at the rate of 150 a year. Taking 20 families per house, we would reduce intemperance in the first year among 3,000 families; in the second year among 6,000, and in the third year among 9,000; and in 10 years we would benefit 150,000 families. Is it not a fact that that would be a greater result than we have achieved in the whole 20 years since the throwing out of Mr. Bruce's Bill. It is said we should only get about £60,000 or £70,000 a year in London of this money. According to the hon. Member for Barrow's own estimate, which I think very excessive, this would enable us to close 12 or 15 of the worst public houses in London every year. The hon. Member for Barrow says that this can be done without paying anything. We have heard that for 20 years, but the nation has not yet come to the point of determining upon compelling a man to give up his legitimate business, without compensation, simply because a new idea has grown up as to the conduct of the trade. A great deal has been said about the legal position of the publican. I am not a lawyer, and I do not care very much to inquire into the legal phase of the question. I say that a practical common sense opinion is of very much

more importance than a legal opinion. Whether you have a legal power or not, you do not and cannot exercise it, and year after year goes by, in consequence, without any reduction being made in the evil against which this Bill is directed. I think I may fairly say that the country is not prepared to promote the virtue of temperance at the cost of the publican alone. I remember once hearing of a lady who was very strong on the subject of vaccination, and who, on refusing to have her child vaccinated, was asked whether she was prepared to go to prison. She replied, she was not, but she would allow her husband to go to prison. This is exactly the attitude Gentlemen opposite assume in regard to the publican. They are very virtuous, and they wish to do away with intemperance, but they are not prepared to pay for it. They wish that the unfortunate publican, who has been allowed to carry on this business for so many years, should alone suffer. Take the case of a trade which is very similar to that of the publican. It is a trade which I myself believe it is not at all desirable that poor people should associate with; I refer to the trade of pawnbroker. I have been trying for many years, by writings and otherwise, to induce poor people to be their own pawnbrokers by putting by money in the Savings Banks and Penny Banks. Well, supposing Parliament could be induced to put an end to the pawnbroking system entirely, or, as in Paris, to do it by the State, is it conceivable that we should allow the pawnbrokers to be ruined because their establishments were closed by Act of Parliament? Certainly not, and yet, in my opinion, the habit of using the pawnbroker is as great an evil of the poor man as anything can possibly be. An attempt is made in the present Bill to reduce the number of public houses. It is certainly a bold measure. I candidly say I should like to see a clause inserted giving the publicans a 10 or 15 years' holding on good conduct, on condition that after that period there shall be a clean board so that we can do what we like. But I do urge hon. Members who have the cause of temperance at heart to remember that this is a question which has been before us for a very long time. We know that in all parts of our great cities public houses are not only in excess

of the wants of the people, but lead to enormous temptations. I do hope that we shall carry this measure in the present Session. It furnishes an opportunity of doing something practical, even if it does not meet with the entire approval of the advocates of temperance.

(7.37.) MR. LABOUCHERE (Northampton): Putting aside all Party politics, I do hope the present Ministry will soon end their pernicious career by consulting the country, because if they remain in power much longer we unfortunate taxpayers will have nothing left to us. Right hon. Gentlemen seem to have adopted the idea that they must indemnify every species of interest that in any way aided them at the last General Election. I respect them for their gratitude, but I suggest that they ought to get the money they want for this purpose out of the Primrose League funds and the Carlton Club funds instead of out of our pockets. In the Land Bill it is proposed that we should buy out the Irish landlords; in this Bill a licence for one year is to be converted into a freehold which is to be purchased out of public funds. A similar proposal was made in 1888, but it then absolutely failed. The Government find that they owe such a deep debt of gratitude to the publicans that they must make the attempt again, and they calmly—if it were not for the great respect I entertain for the Members of the Government, I would say, impudently—adopt the principle which they attempted to force upon us in 1888, and introduce it into their Budget scheme as if it were some small matter of detail. A great deal has been said in respect to the love of temperance on the part of Gentlemen on the other side of the House. We are asked to believe that they brought in this Bill in the interests of temperance. The greatest men have their weak points, and I have always thought that the weak point of the right hon. Gentleman the Member for Mid Lothian is, I might almost say, the credulity with which he believes in the excellencies of his political opponents. I do not share that credulity. For my part, I have no idea that the Government ever brought this in in the interests of anyone except their friends the publicans, and they do not care one groat whether temper-



ance benefits or does not benefit. But if Ministers have been so very blind to facts as to imagine it is in the interests of temperance, obviously now that every association connected with temperance has protested against the measure, they ought to perceive that they have made a mistake, and if it is alone a question of temperance, they ought to be ready to withdraw the Bill. They must see this themselves. It is absurd for them to talk about acting in the interests of temperance, when all the advocates of temperance, like the hon. Baronet the Member for Cockermouth, who for very many years have devoted themselves to the cause, protest against the Bill, and say it will be injurious. What do they do? They say, "We have a Temperance Society that is in favour of the Bill. We have the Church of England Temperance Society." Well, I have no great confidence in the Church of England. For my part, I think that most of the members of the Church of England are Tories first and Christians next. I know that at elections there has been what the late Mr. John Bright would have called an "incestuous union" between the parsons and the pothouse-keepers in almost every village in the country, and when the former have to judge between their duty to morality and their duty to the political party that looks after them, and takes care to protect what they are pleased to call their property against what they are also pleased to call the marauding attempts on the part of Radicals to deprive them of that property, they throw in their lot with the Tories and pothouse-keepers. Tory pothouse-keeper and parson are both in the same boat. But it seems that for once I have been wrong in regard to the Church of England, and that they are not so bad as I thought they were. Their Association is not prepared to stomach this Bill of the Government. So far as I can gather, the approval which the Government boasts of is merely that of certain clerical Tory wire-pullers, who have tried to catch the Association and have utterly failed. I have observed that since the first day of this Debate we have not heard quite so much about the Church of England Temperance Association. The facts have come out, and now we know that it is not

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the Association, but only the wire-pullers who are in favour of the Bill of the Government. Putting aside the question of compensation altogether, I doubt whether this Bill will be of any advantage to temperance. In some streets, no more than half a mile long, there are as many as 30 or 40 public houses, and at the most this Bill will only do away with two or three of those houses. That will not remove the temptation from the people in the neighbourhood, and I believe there will be precisely the same amount of drink consumed and precisely the same amount of drunkenness. I protest against this attempt on the part of the Government to hoodwink the public by telling them the scheme will cost nothing. No tax can be ear-marked, and when a tax is paid into the Treasury it becomes the property of the entire community. It is as ridiculous to say that the taxpayers do not pay anything because the tax is levied from the publican and the brewer as it would be to say that those who pay for tea have some exclusive and particular right to the tax that is derived from tea. The Solicitor General is the only gentleman in this House who boldly said that the publican has a legal right to the renewal of his licence; but I take the liberty of believing in the law of Lord Justice Fry, Mr. Justice Stephen, and Mr. Justice Field, rather than in that of the Solicitor General. Some remark has been dropped to the Solicitor General by Mr. Justice Field, since he became Lord Field, and from that it would seem that his remarks in the *Darwen* case were not exactly as reported. Well, I deal with Mr. Justice Field when he was Mr. Justice Field. I do not trouble myself much about Lord Field's memory at the present moment, since he has become a Peer; but it does seem to me a most un-Constitutional thing for the Solicitor General to come to this House and say that he has had a private conversation with the Judge, and that the latter now repudiates the Report of his Judgment, and that, therefore, we are to believe what that Judge confided to him and not the Report. I am a great stickler for Constitutional propriety, and I think the course taken by the Solicitor General is thoroughly un-Constitutional and improper. I think the zeal of the Solicitor General in this matter has out-

run his discretion. The President of the Local Government Board does not endorse the legal views of the Solicitor General, nor does the Home Secretary, who is an eminent lawyer, endorse them. The fact is, right hon. Gentlemen opposite do not plead the legal right. They only plead the equitable right, and they base it on the Probate Duty which has been charged on the goodwill of public houses. With regard to the Probate Duty argument, I contend that the Probate Duty has always been charged upon the profits made by the publicans as retailers. I do not believe that the President of the Local Government Board can give a single case in which probate has been paid on more than three years.

\*MR. RITCHIE: It has been paid on a great deal more.

MR. LABOUCHERE: Can he give me a case in which it has been paid on more than five years?

\*MR. RITCHIE: Yes, several.

MR. LABOUCHERE: I am like the angel coming to Abraham. Will the right hon. Gentleman say he knows cases where it has been paid on 10 years?

\*MR. RITCHIE: No.

MR. LABOUCHERE: The right hon. Gentleman may perhaps find two or three cases where payment has been made on more than five years, but I should like—with all respect to him—to see them. He may find two or three such cases, but I defy him to show that the average is more than five years. Therefore, if the probate argument is taken as showing a title to something beyond one year's licence, it only goes to show that five years' compensation is the utmost which is given to a publican, not for the goodwill of his business, but for the goodwill based on his profits as a retailer. I have now a sad confession to make. Before I found temperance salvation I was myself a liquor trafficker. I had fallen so low as to occupy the degraded position of a Director of a large London brewery. An hon. Friend behind me shakes his head. He evidently thinks this impossible in me, but I got some advantage out of it, for I learned the tricks of the trade, and it is a curious fact, which has never been explained in the House, that the value of a public house is excessive not because of the monopoly granted in selling beer, but because the result of the monopoly

is that the beer is always sold to the retailer at about twice its real value. In the past 20 years malt has fallen in price, hops have fallen, sugar has fallen, maize has fallen, and yet the price of beer at the present moment is the same as it was 20 years ago. The publican, of course, recoups himself by selling the beer at an excessive price to the consumer, and so besotted are these beer drinkers that although the idea of many of them is to get as much for their money as they possibly can in the form of beer, yet they allow themselves from year to year to pay twice the value of what would be a fair trade profit to the retailer. I think it will be admitted that the licensing system was not intended for this. The licensing system, as I say, gives not only a monopoly to the trade of certain persons, but by the operation of a species of ring amongst the brewers it gives the brewers the power of selling their beer at twice its value. When you talk about compensating at a valuation it is something like giving a monopoly, say, to a baker who sells to-day at the price he did 20 years ago, and then being asked to indemnify him because he would lose by not being able to sell. I will, with the permission of the House and from my knowledge of the trade, follow the history of licensed premises from the first, and show to whom the money goes and show how it is that the excessive price charged for beer raises the value of the public house. A man has two or three fields in the neighbourhood of London, and determines, as the town increases, to sell them on a building lease. Naturally, he has some estimate made as to what can be charged on each lot by the building contractors to whom he sells, and he bases on this estimate the amount he shall charge as ground rent. Say that the rent of a lot should be £5; he takes five lots and puts them down as public house lots, and for these, instead of charging £5, he charges £25. A building contractor agrees to take these on a lease for 70, 80, or 90 years, and pays £100 extra because of the facility given him of letting these public house lots at a higher ground rent. Then the builder spends £800 on each of the public houses and sells them for £1,800. Some miserable ex-butler or prize fighter takes a house, investing his own money—£500—and getting £1,000 on mortgage

from the brewer and £300 from the distiller, who charge 5 per cent. The brewer makes him contract to take all his beer from him, which means a present of £100 per annum to the brewer, in addition to the £50 interest. This gives the brewer 15 per cent. Why does the brewer get so high an interest? Because he knows the transaction is a risky one—that the publican has only a one year's licence. Of course he counts on the licence being renewed. Then what occurs? As a rule, the ex-butler or prize fighter, at the end of two or three years, makes up his accounts, finds himself owing more than he is worth, and is a ruined man. The brewer forecloses, the house is put up for sale, and another ex-butler or prize fighter buys it, and, as a rule, you may take it that the publican is nothing but a sponge soaking up money, not for his own benefit, but for that of the brewer, who squeezes him. The beer seller is ruined in the process. The other case is where the publican does not intend to make an income out of the public house, but hopes to raise the quantity of beer sold and then to sell the house for a greatly enhanced price. Therefore, I think I have clearly shown what is known to everybody in the trade, that the price of public houses is entirely fictitious; that in London brewers compete amongst themselves for houses, and send up the price because they are able to get trade by doing so, or, in other words, they are able to get 15 per cent. for their money. In the country the system is different; it is even a worse system. In a town there are, perhaps, two or three brewers. These brewers buy up as many houses as they can. The greater number of the houses are absolutely worthless; in reality they would not pay their rent. The purchasers put in men who are tenants at will, and they oblige the men to sign an undertaking to give up the licences to any nominee of the brewers at a day's or a week's notice. The tenant really does not pay any rent, because he cannot make it; he is simply there as a servant of the brewer selling the beer for the brewer. If this Bill passes will any of these publicans get any compensation? Evidently they will not; the brewers have taken good care of that. The brewers understand perfectly well that public opinion is somewhat telling against their excessive

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profits. They have been wise in their generation. Wherever they have got a chance they have handed their breweries over to the public. They do not tell the public they get their large returns because of the insecurity of the capital. The brewers do not care when they pocket the money and retire to the House of Lords to legislate for us. We have heard a good deal about the poor unfortunate publican; he has been trotted before us in order to excite our compassion. I admit there are many respectable publicans; but when the publican is paraded before the House he has always a wife and about a dozen children, and it is asked if these are to be cast out in the street without anything. If the compensation, or endowment, as the right hon. Gentleman the Member for Mid Lothian called it, were limited to the amount, say, of two or three years of the publican's profits, and if the whole matter could be thus settled, I should not myself be opposed to it very strongly. I do not say the publican has a legal or equitable right to compensation, but he has a compassionate right, and if the compensation were limited to that it would be a flea-bite, and I would not strongly object to it; but when the principle is laid down that the brewers and all interested in public houses are to be compensated you practically rivet the public houses upon the community for ever and ever. I hope the compensation clauses in the Bill will be thrown out, and that those restricting the granting of licences will be carried. If I spoke of opposing the Bill line by line and word by word I should be called an obstructive. I have never been afraid of being called an obstructive. I was sent here to obstruct bad Bills. I am ready to recognise any Bill which is passed with a popular mandate. There is no popular mandate in this case. Nothing was said about compensation at the last General Election, and it is preposterous to say that any Ministry can calmly come down to the House with a proposal to convert a property not legal into legal property to the amount of £400,000,000, and then complain of the Bill being opposed in every shape and form.

\*(8.40.) MR. MILVAIN (Durham): I cannot help thinking, after reading speeches and Resolutions in reference to this Bill, and listening to speeches de-

livered here from hon. Gentlemen on the other side, that the principle contained in the Bill has been misconceived—I will not say misrepresented. I heard the speech delivered to-night by the hon. Baronet the Member for Cockermonth, and I heard another, hardly equalling his best efforts, from the right hon. Gentleman the Member for Mid Lothian, and we have just listened to the hon. Member for Northampton. To the latter I do not propose to reply, for I feel perfectly certain that those who know the hon. Member for Northampton best, and are accustomed to the display of his abilities, never treat his speeches seriously. [*Cries of "Oh, oh!"*] Well, I will say seldom treat them seriously. With the hon. Member's attacks on the parsons, publicans, and others I am not now concerned to deal; I leave those for the consideration of his constituents. The speech of the hon. Baronet has been replied to; and then we had the right hon. Gentleman the Member for Mid Lothian going through, in his usual graceful and eloquent manner, the operation of making a sumptuous repast of his former expressions on this subject. I do not think it would be in my power fully to reply to the right hon. Gentleman, because it is difficult, after listening to his speech, to determine whether or not the right hon. Gentleman is in favour of the principle of compensation, or for what reason he is in favour of or opposed to it. But there was one expression he made use of in his opening remarks, an allusion to a remark that fell from the hon. Baronet the Member for Cockermonth, which, to my mind, is the kernel of the situation. The right hon. Gentleman said, referring to a letter to the hon. Baronet, in which the writer said his licence had been refused and no compensation given, that the argument founded on that letter had not been answered. But this Bill has nothing whatever to do with any compensation given to a publican, or to anyone interested in a licence which has been refused by the ordinary operation of the law. This is not the principle of the Bill, though it may be assumed to be by some who oppose the Bill. It is against this monstrous principle, as laid down by the hon. Baronet, that thousands I could almost say, but not to exaggerate, hundreds, of Resolutions have been directed, copies of which have been showered upon us. The objec-

tions of the hon. Baronet and of that section of the Temperance Party who oppose this Bill are founded upon the argument that it establishes the principle of compensation for non-renewal of licence, and gives by Act of Parliament a right to the continuance of the licence or compensation for non-continuance. I do not intend to enter into the law in detail, but, in order to determine whether that argument is fallacious or not, we must look at what is the existing law. I think it is universally agreed that there is vested in the Justices a discretion to refuse absolutely the continuance of licences, but they have no power arbitrarily to deprive the publican of his licence. If Justices were arbitrarily to deprive a publican of his licence, then, by the action of the Courts, those Justices might be compelled to assign reason for their action. So it is right to say that the absolute discretion of the Justices is qualified by a provision which compels them to exercise their discretion judicially, and the refusal must be for valid reasons. Some persons have said that so long as a man's character is good, and the character of his premises not open to objection, his licence ought not to be refused; but these are not the only considerations, though they are important ones, and I may say the leading principles which Parliament has laid down to guide Justices in the exercise of their powers. It is, of course, a very serious discretion vested in the Justices, and they exercise their responsibilities with great care and judgment. I have read an expression in the speech of the right hon. Gentleman the Member for the Bridgeton Division (Sir G. Trevelyan) in which he said it was a lamentable thing that the refusal of Justices to grant a licence in Petty Sessions should be overruled on appeal to Quarter Sessions. But it is not my experience, and I have some acquaintance with these matters. When Licensing Justices in their discretion, and for valid reasons, refuse to renew a licence, the Justices in Quarter Sessions always give very serious consideration to the case upon which the Licensing Justices have exercised their discretion, and it must also be remembered that the case comes before Quarter Sessions *de novo*, and frequently to assist them to their decision the Justices in Quarter Sessions have evidence before them which was not adduced before the Court of first instance

We heard from the hon. Baronet the Member for Cockermouth an attack, though perhaps it was not intended as such, an attack upon the Justices, because, he said, the privileged classes granted these licences to the privileged few, as opposed to the masses. But the hon. Member appears to have forgotten that those who are interested in licences are not permitted to adjudicate upon them, while those who are radically opposed to them—the Temperance Party—are permitted to do so. In the recent case of "*Sharp v. Wakefield*" Lord Esher in his judgment said that this discretion of the Justices, if not exercised with the greatest care, might result in irreparable injury, and perhaps in injustice to many. I think that the reason why it might create injustice or irreparable injury is because the principle recognised in equity as well as in law might be departed from, the principle that the publican, so long as he is of good behaviour, and there are no valid reasons for his licence being refused, has a vested interest in his licence. How does the provisions of the Bill affect the existing law? Does the 6th clause of the Bill create a vested interest?

An hon. MEMBER: Yes.

\*MR. MILVAIN: That "yes" comes from one who has not made himself acquainted with the Bill, else he would agree with me it does not. This 6th section of the Bill gives to the County Council power by agreement with the person having an interest in the licence to buy such interest. Where is the vested interest created there? The Justices may refuse, as they now on valid reason refuse, the continuance of a licence. The principle involved in this section is that a man who has something to sell may sell it to a person who is desirous of buying. I admit that for the purpose of the Bill the man who wishes to sell something is a publican, and that the person who wishes to buy is a public body, but this does not alter the principle that you should not deprive a man of his property unless you pay him for it.

MR. DE LISLE (Leicestershire, Mid): Is it his property?

\*MR. MILVAIN: Surely, so long as he holds the licence.

MR. DE LISLE: For one year.

\*MR. MILVAIN: A present possession with every prospect of future possession.

*Mr. Milvain*

Property in my possession temporarily is yet mine, and I claim to be compensated if deprived of it. The existing law, therefore, is not altered, and as the Bill does not create vested interests the objections raised by a section of the Temperance Party are based upon fallacy. With the principle upon which compensation should be assessed the Bill does not deal. I do not intend to occupy time with this, but there has been much misrepresentation as to the magnitude of the compensation. I think the hon. Member for Northampton said it would take £400,000,000 to buy up all the public houses, and I will not contend with him as to the amount, merely observing that the figures emphasise the magnitude of the interests involved. I will put a question to those who oppose what I think are principles of equity and justice. I should like to know from the opponents of the Bill whether, if they had the power to deprive a licensed house of its licence without compensation, they would deprive, say, the Grand Hotel in Northumberland Avenue of its licence without granting to the proprietors some compensation? Such a proceeding would create such a demonstration as we, as a Constitutional Party, are not in the habit of resorting to. We do not resort to mob law for the purpose of influencing the Representatives of the people, but such wholesale robbery would excite the indignation of a law-loving public, and if you desired to do this you dare not deprive such licence holders of their interests without compensation. How, then, on principles of equity and justice, can you deprive a way-side publican of his licence and his interest in his premises? In accordance with equity in the application of law you could not do so, I unhesitatingly say you dare not, you must not, and I even say you shall not deprive a man without compensation of his interest in his licence. We are told there is a great agitation in opposition to this measure. I take the words from the hon. Baronet, that all men who have been working all their lives in the cause of temperance are opposed to this Bill.

SIR W. LAWSON: I said almost all.

\*MR. MILVAIN: Yes; the hon. Baronet made a certain exception. I do not know whether his exception included only the Church of England Temperance Society. I happen to have within my

own knowledge the fact that there is a large and influential section of the Temperance Party whose opinions are not so advanced that politics confuse their temperance advocacy, and who are in favour of this Bill. [Sir, W. LAWSON: Who are they?] I will read an extract from a North Country paper, and I may give the name of the gentleman concerned, seeing that it has appeared in the press. On the 6th May there was a meeting of the Newcastle-upon-Tyne Temperance Society, and in the course of the proceedings the resignation of the hon. Secretary, Mr. W. J. Frater, was considered. Mr. Hardman asked the Secretary to re-consider the matter. Mr. Frater then made a speech in which he said he could no longer continue to occupy his position as Secretary if the Society passed a resolution antagonistic to Mr. Goschen's proposal. He went on to declare his opinion that to deprive a publican of his means of living 'for no fault of his own would be to do an injury, to commit an injustice and a robbery. He expressed his conviction that the Government proposal was a serious attempt towards the end they had in view, diminishing the number of public houses, and it would be a serious mistake to refuse the measure. What the politics of Mr. Frater are I have no idea; but his language speaks volumes as to the manner in which the proposals of the Government are regarded by men who are not politicians before they are temperance advocates. In my view, the licensed victualler does not carry on a praiseworthy occupation; but it is an occupation which is, and always has been, recognised by law, and which is safeguarded by law; and, for my part, I will be no party to supporting any Amendment to the Bill, the effect of which would be to deprive him of his lawful occupation without any repayment for the outlay he has made upon it and such interest as he has in it. For these reasons I shall vote against the Amendment.

\*(9.3.) Mr. JACOB BRIGHT (Manchester, S.W.): The hon. Member who last spoke seems to think that we on this side of the House are opposed to every kind of compensation, and against every kind of arrangement which might break the fall of the publican. But that is not so, and I believe it is in the power of Parliament and of statesmen to discover some mode of letting the publican down

easier than the hon. Gentleman opposite seem to fear. But what we oppose is the proposition of the Government, which we believe to be inadmissible. We oppose the proposition with earnestness, believing it to be altogether indefensible. I have watched the progress of this Debate with great interest, for an extraordinary change has come over the position of the Government. Until now the Tory Government has always been looked upon as friendly to the publicans; there has been a close alliance with them, and the publicans have always cast their votes for the Tories, and against what is known as the Temperance Party. But now the Government profess themselves the friends of temperance. We have been told several times that the Government have brought in a more effective measure in the cause of temperance than has ever before been introduced; but the unfortunate thing is that the Temperance Party cannot discover the good they are doing. Temperance people throughout the country fear the friendship of the Government much more than they fear their hostility. The mode of introducing this question to the House by the Government has been eminently unsatisfactory and calculated to arouse suspicion. It is not straightforward to bring in a Bill dealing with a great number of subjects and to include in it one question which is passionately opposed both in this House and in the country. It is an irrational course, and scarcely respectful to the House of Commons. I am not afraid to express my opinion of the measure. To my mind the Bill is a gigantic imposture. It boasts of doing so much for the cause of temperance, and it does very little indeed, and that little in a direction which will do a vast amount of harm. The Government claim support for the Bill because it puts a check on the issue of licences. I am not particularly grateful for that, because it is the very least thing the Government could do. At the present time the country is so covered with public houses and saturated with drink that no respectable Bench of Magistrates would dream of adding to the number of licences in the present condition of things. Whether or not you suspend the issue of new licences by Act of Parliament I believe very few fresh licences will be granted. However, it is a pity the Bill introduces an excep-

tion in the case of growing communities. The Government would, I think, have been supported by the opinion of the country if no such exception had been made. The chief achievement of the Bill will be to diminish the number of public houses; but I believe that in 20 years the results of the Bill in that direction would, as stated by the right hon. Gentleman the Member for Mid Lothian, be infinitesimal. The serious objection to the Bill is that it provides payment shall be made for diminishing the number of public houses. It has not yet been stated how much of the compensation is to go to the brewer and how much to the publican. I am told that 90 per cent. of the houses are in the hands of the brewers, and if that is the case the bulk of the compensation will go, not to the unfortunate publican, but to the wealthy capitalist. I suspect that a great amount of time will be occupied before this Bill is passed into law, and it will be interesting to notice if the First Lord will apply the closure. If he does he will make it almost impossible for the temperance-loving people of this country to diminish the public houses. But I do not believe the Government will venture on a contest of such great length. I trust that those clauses of the Bill which relate to this question will be dropped by the Government, as they dropped them two years ago, for then there would be much rejoicing throughout the country, instead of the wholesale condemnation which must follow on a refusal to accept the opinion of the people.

**\* (9.15.) MR. FORREST FULTON** (West Ham, N.): It has been generally assumed by the opponents of the Bill that there is no vested interest in any licensed house; but that is an entire misconception, because the Act of 1869 creates a vested interest in every beer-house that was in existence on May 1, 1869. The Act is 32 and 33 Vict., c. 27, and section 19 provides, in regard to the "on" beerhouses in existence on May 1, 1869, that "it shall not be lawful" for the Justices to refuse to renew any such licence except upon one of four grounds, namely, that the licence holder is not able to show that he is a man of good character, that the house is the habitual resort of thieves and prostitutes, that the licence holder has been convicted at some previous time of some offence against the licensing law, or that the

house is not structurally a fit one to be used as a licensed house. If the Justices or the Quarter Sessions on appeal refused a renewal, except upon one of these grounds, the Court of Queen's Bench would be bound to issue a *mandamus* ordering the Justices to renew the licence. It is, therefore, clear that the holders of these licences have an absolute, statutory, vested interest. It has been assumed that the number of the "on" beerhouses is insignificant; on the contrary, the number is enormous, and there can be no doubt that every one of these beerhouse licence holders is entitled to compensation, unless, indeed, Parliament is prepared to enter upon a policy of confiscation. A Parliamentary Return, No. 187, dated April 26, 1870, shows exactly how the matter stood on May 1st, 1869. The number of fully-licensed houses—that is the only class affected by the decision in "*Sharp v. Wakefield*"—in the Metropolis was then 5,950, and the number of beerhouses—"on" not "off" houses, which have an absolute statutory vested interest given them by Parliament—was 3,927. The proportion was, therefore, as three to two. That is to say, of all the licensed houses in the Metropolis, two-fifths are, undoubtedly, entitled to compensation in any scheme which Parliament may adopt. The figures for England and Wales, outside the Metropolis, are still more remarkable. The fully-licensed houses at the same date were 63,419, and beer houses 45,203, making in all 108,622, so that beer licences constituted 44 per cent. of the whole of the licensed houses. Therefore, upon the most indisputable evidence, it is established that in England and Wales, apart from the Metropolis, the licensed holders of 44 per cent. of the licensed houses, and in the Metropolis two-fifths, are entitled to compensation. I hope some hon. Member opposite will deal with these figures. I now come to the Return obtained by the noble Lord the Member for Paddington, which contains some most remarkable statistics. It gives the figures for counties and boroughs. It shows, for instance, that in Manchester there are only 494 fully-licensed houses, whereas there are 1,640 "on" beerhouses, with an absolute statutory title secured by the Act of 1869.

**MR. BOWEN ROWLANDS** (Cardigan-shire): Were all these houses in existence on the 1st May, 1869?

*Mr. Jacob Bright*

\*MR. FORREST FULTON: The Return does not distinguish between those that were in existence and those that were not.

An hon. MEMBER: That makes all the difference.

\*MR. FORREST FULTON: The Return was made up to 1870, so I think I am entitled to assume they were in existence on the 1st May, 1869. I do not think the noble Lord appreciated the enormous importance of this point.

MR. DE LISLE: The Act provides that the licences may be done away with, on certain conditions.

\*MR. FORREST FULTON: Yes, if the hon. Member turns to 32 and 33 Vict., c. 27, he will find the four grounds stated. I have already read them to the House. I may say again briefly that the Act provides it shall not be lawful for the Justices to refuse to renew any licence in existence on the 1st May, 1869, except upon one or other of these four grounds. First, that the licence holder is not able to show he is a man of good character, secondly, or unless the person opposing is able to prove that the house is habitually the resort of thieves and prostitutes; thirdly, unless the person opposing is able to show that the licence holder has been convicted at some previous time of some offence against the licensing law; and, fourthly, unless he is able to show that the licensed house is not fit for the purposes of a licensed house, that it has not, for instance, a sufficient number of rooms. Those are the only four grounds upon which a licence can be refused. I must say that I think, from what I have heard in the course of the Debate, that the Justices of the South of England have been grossly maligned as to their conduct in the administration of the Licensing Law. I can only say from my experience of the Justices in the South of England, which now extends over a period of 18 years, that there is nothing so difficult as to get a new licence. In the county of Essex no new licences have been granted since 1872, except upon the surrender either of a fully licensed house or of two beerhouses. Again, in the County of Middlesex not more than 10 per cent. of the new licences granted by the Licensing Justices have been confirmed by the confirming Committee. In the County of Lancashire there are 2,361 fully licensed houses and 2,069 on beerhouses; in

Kent 1,617 fully licensed houses and 1,065 on beerhouses; in Huntingdon 208 fully licensed houses and 217 on beer houses, and in Somerset 821 fully licensed houses and 503 on beerhouses. In the borough of Wolverhampton there are 203 fully licensed houses and 204 on beerhouses. I have no reason to suppose that the Borough Justices of Wolverhampton have not discharged their duties in the same manner as the Justices with whom I have been brought in more immediate contact in the home counties, and acting upon that surmise it may be assumed that there have been very few fresh licences granted in Wolverhampton since 1869. Therefore, we may assume that, roughly speaking, almost every one of these 204 on beerhouses has an absolute statutory title, and the licensed holder is entitled to compensation. This is a matter which the temperance advocates never attempt to deal with, except in a general way. The right hon. Gentleman the Member for Derby referred to the "on" beerhouses as if they were a mere handful, a dozen or two scattered about the country, which nobody need take into consideration. If the House will consider the figures I have drawn their attention to, it will be seen they deal with facts which ought to be dealt with, and especially dealt with by the opponents of compensation. I will not discuss the case of "*Sharp v. Wakefield*," except to this extent. I have no hesitation in saying that the case would never have reached the Queen's Bench at all but for this fact, namely, that in addition to the reason given by the Licensing Justices that the house was not required there was another reason, which was that the house was a long distance away from police supervision, and that, in order that it might be subject to proper supervision, there would have had to have been an increase in the number of the County constables, and a consequent increase in the county rate. But for this latter fact I believe the Court of Quarter Sessions would have renewed the licence. I now come to the case cited by the hon. Baronet, the Member for Cocker-mouth, namely, the refusal to renew two "off" beer licences at Northampton in 1882. In my opinion, if the Magistrates refused to renew an off licence merely on the ground that it was not required in the neighbourhood, they did not exercise a judicial discretion. An



exactly similar case occurred in my experience in the County of Middlesex, where the Justices took the same view of the law as that which I have just stated. It was, I think, in 1882 or 1883 that certain Justices of the Brentford Division refused to renew 20 off-licences which had been in existence for some years, on the ground that they were not required in the neighbourhood; and the consequence was that there were 20 appeals to the Quarter Sessions. There were at that Quarter Sessions some 26 or 27 Magistrates, including several Members of this House. One of them, I think, was the late Mr. Ayrton, and they gave a unanimous decision to this effect—

“We have a discretion, if we care to exercise it, to refuse to renew, under this Act, any off-licences though they may have been in existence 20 years; but we say, as a Court of Quarter Sessions unanimously, that to refuse to renew an off-licence merely upon the ground it is not required in the neighbourhood is not, in the opinion of this Court of Quarter Session, the exercise of a judicial discretion.”

The consequence was, that every one of those appeals was allowed, and there had never been a single instance since in the Southern Counties of a refusal to renew a licence under such circumstances. It was only an attempt to test the Act, and see what view Quarter Sessions would take of a new Act of Parliament (45 and 46 Vict. c. 34), which was never intended to apply to existing licences. So far as my judgment is concerned, long before the decision of “*Sharp v. Wakefield*,” I was of opinion with regard to fully licensed houses that the Justices had an absolute discretion to refuse to renew a licence if they chose to do so. But, at the same time, I have always said this, and I say so now, without the slightest hesitation, that we must look at the whole Act of Parliament, and if the Justices have a discretion it must be exercised in a judicial way. When we come to look into the Act, we must remember this fact, that the Act provides even where the licensed victualler commits an offence against the law, so gross as to cause his licence to be endorsed, it gives him a right of appeal to Quarter Sessions. If there is a second endorsement the Act requires that the owner of the house shall receive notice of the fact that there have been two convictions recorded upon the licence in respect of his house so as to

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allow him to come in and defend his vested interest in the matter; and even when a third conviction has been recorded upon the licence the Act provides that the utmost that could happen to the premises is that they should be disqualified for two years. Side by side with all this is the fact that if a licence is removed from one part of a licensing division to another, the owner of the premises must consent to the removal. The suggestion before the House is that the owner of licensed premises is not recognised by the Act of Parliament as having a vested interest in the property. Yet it was held that in the case of a man holding an ordinary brewer's mortgage (“*Garrett v. Middlesex*,” J.J., 12 Q.B.D., 620) he had a right to come in and appeal where his own tenant refused to do so. Can it be said, therefore, that the owner of licensed premises was not recognised by Parliament as having a vested interest in his property? Who can doubt that when, in 1874, Parliament introduced a provisional grant a vested interest was not contemplated? The effect of this grant is that before building new licensed premises a man must satisfy the Justices that the licence is required, must submit plans of the building for approval, and must have the approval confirmed and the order made final. Is it to be supposed that a man who has been to all this trouble and enormous expense could be liable to have his licence refused when he applied for its renewal the next year? The hon. Member for Northampton has given some illustrations from his experience as Chairman of a Brewery Company. But his illustrations are perfectly ridiculous to any one who knows the working of the licensing laws. The hon. Member has spoken of five public houses being built on one estate; but it would be a very extraordinary part of England in which any one could get five new licences upon a new estate in less than 20 years at least. Let the hon. Member tell us the estate on which those five licences were granted, for as is such a stounding statement that I can hardly believe it has any existence, except in the imagination of the hon. Gentleman. I have had some experience of licensing matters, and I should like the hon. Member to tell us where these five plots of land were on which this enterprising

butler built houses and got licences? I state again, in the presence of the right hon. Gentleman the Member for Derby, that by a Return made in 1870 the number of beerhouses on the 26th April, 1870, far from being insignificant, constitute two-fifths of the whole of the licensed houses in the Metropolis, and 44 per cent. of the whole of the licensed houses in the rest of England and Wales.

SIR W. HARCOURT (Derby): At that time, 20 years ago. I said now.

\*MR. FORREST FULTON: The right hon. Gentleman has not shown that these licences have ceased to exist. By the Return obtained by the noble Lord the Member for Paddington, I find that in Manchester of 1,600 houses only 440 were fully licensed houses. The beer houses in existence in 1869 still exist. ["No!"] Well, how have they ceased to exist? I can only say my experience of licensed houses entirely differs from that of the right hon. Gentleman the Member for Mid Lothian. It is the smaller, not the larger, houses which are badly conducted. The large amount of money, sometimes £30,000, invested in the larger public houses is sufficient to induce care in their management. I believe the effect of this Bill will be to cause the automatic closure of houses which are not paying. ["Oh!" and laughter.] Well, I have observed with great astonishment, for many years past, the number of houses which, though not paying, have been kept on; and I was informed that if they were closed under the present system application might be made for new licences. That could not be done if this Bill were passed, and many of these houses would thus close automatically.

(9.50.) MR. FINLAY (Inverness &c.): Mr. Speaker, whatever may be the opinion of hon. Members as to the matter before the House, they will recognise the valuable contribution made by the speech of the hon. and learned Gentleman to whom we have just listened. If I differ from him in voting for the Amendment of the hon. Member for Barrow, it is for the reasons I desire to state to the House. I have arrived at this conclusion with considerable regret, for I think it will be generally recognised in the country that the Government have made a very honest attempt to deal with a very troublesome question in the interests of temperance

and with due regard to the interests of all concerned. There are certain provisions in the Bill which I regard as eminently beneficial, particularly those relating to police superannuation and free education in Scotland, and I hope they will become law. But I cannot think it right that such clauses as those to which the Amendment refer should be tacked on to the Bill, although I cannot agree with a great deal that has been said in support of the Amendment. It appears to me that under certain circumstances the claim for compensation will be absolutely irresistible. If the Legislature are to make a sudden change in the policy which has hitherto been pursued with regard to licences, it will be difficult to see how on any principle of fairness a claim for money compensation can be resisted. It may be true that there is only a legal right to a licence for one year—that there is no legal right to renewal; but, surely, in dealing with a matter of this kind, one ought not to look at it only from the point of bare legality, but should have regard to those equitable considerations which ought to be taken into account when dealing with interests that have grown up in the faith that the existing policy will be continued. One of the reasons alleged in support of the Bill is that it is desirable the number of licences should be reduced, and I approve that object; but surely it is possible that this can be done gradually, and with such fair notice to each individual whose interests may be affected, that the claim for money compensation will not arise. It is only when effecting a change of this kind suddenly that a claim for money compensation can be made and can scarcely be resisted. It appears to me, therefore, that the true and wise way of dealing with the question, which I admit is one of great importance and even of urgency, is that we should not be in too great a hurry about it. A great part of the discussion on the Bill has referred to the question of compensation, but I do not think it arises on the Bill at all, for the only way in which the Bill affects existing licences is to increase their value by restricting licences in the future. Therefore, there is no particular reason why the Bill should introduce the question of payment to the holders of existing licences. In the vote that I intend to give in support of the Amendment of the hon. Member

for Barrow, I feel that I shall reserve absolutely intact for consideration at any future time the question of compensation on its merits. I confess that I prefer that the matter should be dealt with in such a way—by giving fair notice, as I have said, to those whose interests will be affected—that the question of compensation will not arise. I have come to the conclusion that the results of the Bill, if it is passed, must be imperceptible, or, if we wish to secure results worth all the trouble of the measure, we will have to embark in an enterprise of gigantic magnitude. I will not detain the House longer. I only rose to state the reasons which have led me to feel that it is my duty to vote for the Amendment of the hon. Member for Barrow.

\*(10.0.) **MR. WHARTON** (York, W.R.): I should not have risen to address the House if it had not been for some remarks made the other day by the right hon. Baronet the Member for the Bridgeton Division (Sir G. Trevelyan). The right hon. Baronet appeared to me to lay the blame for what he called the present condition of things, namely, the superfluity of public houses, not on the Licensing Justices at Petty Sessions, but upon the decisions of Justices in Quarter Sessions when cases came before them. The right hon. Baronet quoted several cases which I was not able to verify, but one case I have been able to inquire into. It was a case which came up on appeal from the Borough Justices of Newcastle-upon-Tyne to the Court of Quarter Sessions at Newcastle. The right hon. Baronet told the House that the reason that the Justices of the borough of Newcastle convicted the publican, and I think endorsed the licence, was that the house was illegally conducted. On appeal the Justices ascertained that the landlord's daughter had lost her watch, and that that was the only charge against the house. The Justices of Quarter Sessions, as I think very rightly, reversed the decision of the Justices below. I have only to say, with regard to appeals to Quarter Sessions, that the cases are inquired into with the greatest possible care. They are there gone into with the assistance of the learned counsel on each side, and, as a rule, the cases there absorb four, five, and six times the period they do at the Petty Sessions. Certainly the blame for the superfluity of licences does not rest with the Quarter Sessions. As to the grounds upon which

the Justices in Quarter Sessions come to their decisions, I may instance a case in which I myself was concerned. That was a case in which the Justices of the borough of South Shields—now many years ago—made what was called a raid upon public houses in the borough, and of their own motion struck off no fewer than 31 licences. The whole of the 31 licence holders appealed to the Quarter Sessions at Durham. The Justices went most carefully into the cases, with the result that they confirmed the decision of the Justices below in eight cases, and reversed the decisions in 23 cases. It has been said that there is no vested right or interest or property in public houses, but so good has the Legislature considered the right of the holder of a licence to his licence that it has enacted that the licence shall not be taken away until a Court of Appeal has decided that it shall. I am not going to argue that there is any legal title in a public house, but surely everyone, looking at the matter from a common-sense point of view, must agree that there is an equitable right based upon the custom of the country, and the custom of the country is almost the same as a legal right. Now, one of the clauses of the Bill provides that the County Council shall take over, or make a payment, for such licences as it may be decided to take over and pay for. I imagine that the first thing a County Council, through their Licensing Committee, will do will be to ascertain which houses it is best to purchase with a view to reducing the superfluity of public houses. I do not agree with the right hon. Gentleman the Member for Mid Lothian that the most expensive, the most sought after, the most used, and the best used public houses will become the subject of purchase. I have had 20 years' experience of licensing, and my belief is that it is just the least used, the most out of the way, or in other words, the worst houses—the resorts of the worst characters—which will be done away with. The best thing for a public house is publicity. It is just the little houses which pay the worst, and become the resort and abode of thieves and other bad characters. I believe the owners of these houses, particularly when they are the owners of property elsewhere, will be only too willing to get rid of the houses. There is another clause in the

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Bill which I believe will prove most valuable, and that is the clause which provides that no new licences shall be granted. The reason why certain public houses have not been got rid of in the past is that the owners have been afraid lest a licence would be granted to another house in the neighbourhood. This Bill takes away that clause, and my belief is that the County Councils will find that in many cases they will be able to acquire the licences of such houses as I have mentioned at a merely nominal price; that the owners will be only too glad to get rid of them, because the public house traffic will then be thrown into other and better houses, in which very probably they are also interested; and then there will be the advantage that in a village, for instance, the police will only have, perhaps, four public houses instead of six, or three instead of four to look after. I am sorry to have heard from the other side a slur thrown upon either the good faith or the wisdom of the County Councils. The County Councils, at any rate, have the virtue of being the popularly elected representatives of the ratepayers of the counties, and surely they may be trusted, if any persons can be, to make the best bargain they can for the county when they come to deal with matters of this sort. At any rate, I do not think they are likely to waste the ratepayers' money. We have heard a great deal about compensation. The object of the Bill is to empower County Councils to purchase the interest in public houses—you may call it compensation or not, just as you please. Personally, I think the word "compensation" is wrongly applied, for purchase is not compensation. If an hon. Gentleman opposite buys a horse, does he say he made compensation to the man he bought it from? In this case there is to be contract between the County Council and the owner of the licence. Compensation, as I have always held, is money paid to a man for something that is taken from him by force. No force is to be used in this case, and, therefore, this cannot in any way be called a question of compensation. The hon. Baronet the Member for Cocker-mouth (Sir W. Lawson) has characterised the scheme of purchasing public houses out of the money produced by drink as wicked; but let me remind the hon. Baronet that the plan of the Government

is almost in the exact terms of a scheme suggested by Mr. John Bright, who held a high place in the affections of the people. I consider this a sensible and workable plan. I believe it will accomplish that which we all have in view, namely, a sensible reduction in what I call the superfluity of public houses, and holding this opinion I shall vote most heartily for the Second Reading of the Bill.

(10.16.) **SIR W. HARCOURT:** Now that we are drawing towards the close of this Debate, we may, I think, ask ourselves what it is exactly that the measure of the Government proposes to accomplish, and how it proposes to accomplish its object. First of all, the Government say that there is a superfluity of public houses in this country, that it is a very serious evil, that it ought to be diminished, and that the only effectual method of diminishing it is to use the public funds of this country for the purpose. When we are going to deal with an evil of this kind, it is prudent to consider how this evil came about, in order that we may have regard to the remedy we are going to apply to it in the present and for the future. How has this evil, this superfluity of public houses, arisen? There are too many public houses; who has brought them into existence? I do not want to say anything severe or harsh of the Magistrates of the country; but this Bill amounts to a vote of censure upon the Magistrates for their conduct in the past. The evil has been created by the authority who could alone have prevented it. That is not all. Hon. and right hon. Gentlemen opposite speak of public houses and this system which you justly declare to be a public evil as if it were like slavery, something that has been created and fostered by the State. But this evil has been created and maintained directly contrary to the law of the land and in opposition to the intention of the Legislature as declared in the different Licensing Acts. The whole system of licensing it is admitted rests, with slight variations to which I may presently refer, on the Act of 1828—that is to say, an Act passed 60 years ago. Under that Act it is not denied by anyone that the Magistrates were made Trustees for the public interest in regard to regulating the sale of liquor. They were given absolute

authority as to what new licences they should give, and equally absolute authority as to what licences should each year be withheld. That being so—that being a proposition which no one can dispute—we have to ask ourselves how it can be that under such an Act there can have grown up a system under which a licence granted for one year becomes a permanent one, and that you should be obliged to bring in a Bill to get rid of a mischief that has been created by Trustees who ought to have protected the interests of the country? What was the meaning and object of the licence being made annual? Everybody knows, and even the Solicitor General will admit, that in declaring that the licence should be granted for a year, the object was that the Magistrates, who were Trustees for the public, should every year review the situation in their district, and deal with it accordingly. If it appeared that more licences were required, they were given power to grant such licences; whereas if they should be of opinion that less were required, they were given an equally absolute and uncontrollable discretion to refuse licences. If, therefore, the evil, such as it has been represented, exists, it can only be by the fault of those who were appointed Trustees for the public. The charge which Her Majesty's Government, by their speeches and their measure, make against the Licensing Authorities, who, for two generations, have had charge of this question, is a severe one. If they are right in their contention, these authorities, whose power was expressly limited to giving a licence carrying with it an annual interest, have created a permanent interest in all licences which cannot be got rid of except by a vast expenditure of public money. Now, that is a most remarkable view to take of the conduct of those Trustees. What would be said of any ordinary Trustees whose powers were limited to giving an annual interest, and who, after having been charged with the Trust for many years, turn round and say, "We have so conducted our affairs that this interest, which the Legislature told us to give for only a year, has become permanent?" A grosser breach of trust on the part of people charged with the protection of a national interest it would be impossible to conceive. What would any country gentleman opposite think of a tenant for life who, under the terms of a

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settlement, was strictly forbidden from making leases for more than seven years, who at the end of his period of management, turned round and said, "I have so managed affairs as to grant to every tenant on the estate a freehold interest?" I think hon. Gentlemen opposite would not like such a doctrine, and yet that is precisely analogous to that which the Magistrates have done according to the arguments of Her Majesty's Government. I confess I do not take so unfavourable a view of the conduct of the Magistrates. I do not believe that they have been guilty of this gross breach of trust which is alleged against them. I do not believe that in breach of their trust they have laid this gigantic burden on the nation—that they have imposed such an incubus on it as the Government would represent them to have done. I agree with an hon. Gentleman who said that if in past years the Magistrates were very free in granting licences, they were at the time doubtless acting in accordance with the then prevailing views of the community. The Magistrates now take a different view of the subject, and at the present time share the present feelings of the community in regard to this matter. I think it is just that that acknowledgment should be made. I utterly deny that they have created this property which is alleged by Her Majesty's Government and hon. Gentlemen opposite. I believe that they have observed the law and not given any greater interest to publicans than they were empowered to do. I absolve them from the heavy charge which would lie at their door if the doctrine of the Government were true. I am sorry that Her Majesty's Government should have thought fit to put forward as one of their main defenders the Solicitor General, who has again brought forward the whole armoury of arguments with which he supported the compensation proposals of 1888. I listened with great attention to the ingenious and able argument of the Home Secretary, but from beginning to end it was nothing but an argument in favour of compensation. The Solicitor General still maintains that mistification of the subject on the law in which he has so habitually indulged, and I think we ought really to come to some understanding on this subject. I will, therefore, refer to his statement of the law, and then I will refer to the statement of the law made by Her

Majesty's Judges, and the House will have to choose between the law of the Solicitor General and that of Her Majesty's Judges. The Solicitor General made a statement, and said it was not his individual opinion, but the views upon which Her Majesty's Government then acted. He says it is his opinion still, and it is, therefore, to be presumed that they are the views on which they are now acting. Now, what are those views? The Solicitor General said—

"The advice on which the Government was acting, and is prepared to act, is that under the Licensing Statutes the Justices are not justified in refusing to renew a public house licence simply on the ground that there is no need for it or that there are too many licensed houses in the neighbourhood."

And again—

"Taking these Statutes all together, it is not competent for the Magistrates to refuse the renewal of a licence previously granted, except upon some special ground personal to the holder of the licence,"

and then—

"I believe that the Statutes, if properly read, do give a licensed victualler a vested interest in the continuous enjoyment of his licence."

There is no doubt what are the principles which the Solicitor General laid down—which he says he still adheres to—and what are the grounds on which Her Majesty's Government are prepared to act in this matter. Now, Sir, I have always maintained—and I told the Solicitor General in 1883, five years before that time, that that is not the law of the country. I told it him on the authority of cases then decided; on the authority of the Law Officers of the Crown—every Law Officer of the Crown, except himself who ever advised on the matter. Such is the law of the Solicitor General, which, apparently, has been adopted by Her Majesty's Government. Now let us see what is the law as laid down by Her Majesty's Judges. Some controversy has arisen as to whether Mr. Justice Field said anything as to "vested interests." I shall quote from the report of the case which appears in a book brought out by the clerk to the Justices of Over-Darwen. Mr. Justice Field says, in the course of the argument—

"In every case in every year there is a new licence. That is not a renewal, but a new licence. The Legislature recognises no vested right at all in the holder of the licence; it simply relieves him from giving certain notices and complying with certain formalities which are necessary when he applies for a licence for the first time."

The counsel then says he thinks it does give the holder a vested interest, but that if the learned Judge is against him on that point he will not argue it further; and thereupon Mr. Justice Stephen, who was the other Judge, says—

"I think you exercise a very wise discretion in not going into that."

There is no doubt the words were used, and no doubt Mr. Justice Field may have forgotten a statement made in the course of the argument. But I do not mean to rely on any particular statement made in the course of argument. I rely on the decision on this very point. The Solicitor General said that "*Sharp v. Wakefield*" did not raise the question. Why, it is a decision on the very point of the issue raised by the Solicitor General—the point of vested right. The Master of the Rolls says this—

"In regard to both cases, new licences and renewals, there is given to the Justices a discretion, and to my mind it is impossible to construe the words otherwise than to say that the discretion given to them in both cases is the same in both cases, and that in both cases it is unlimited."

That is in perfect contradiction to the Solicitor General. Another Judge, Lord Justice Fry, says—

"The exercise of the discretion of the Justices is one and the same, both with regard to persons who are occupying and persons who are about to occupy public houses. No distinction is drawn between the two classes. The jurisdiction and power of the Magistrates are alike in both cases, and the discretion of the Magistrates is alike in both cases."

It is sometimes said that this is new law; but everyone acquainted with licensing knows that that is not so. The hon. and learned Member for North West Ham said he had always been of opinion that the Magistrates had absolute and uncontrolled discretion, and indeed it had been laid down years before by Chief Justice Cockburn that there was the same discretion given to Magistrates whether the licence was a new one or by way of renewal. The Solicitor General said that was true under the Act of 1828, but that it had been altered by the Acts of 1872 and 1874. When that argument was addressed to both the Court below and the Court of Appeal they brushed it aside. Therefore, on the law there is not, and never has been, a shadow of foundation for the unlearned doubts of the

Solicitor General. That matter is not arguable. It has been settled, and long settled, by the highest legal authority. But then it is said that, in point of fact, the Magistrates do always renew, except for personal misconduct on the part of the licence holder. That statement is as unfounded as the law of the Solicitor General. I say that the Magistrates have got the power, and are constantly using the power, of refusing these licences, not on personal grounds, but upon public grounds, because the houses are not wanted, and that licences are so refused without compensation. But if that is so the whole case for this Bill is gone, and worse than gone, because this Bill would prevent Magistrates from refusing to renew licences without compensation. Extraordinary as is the law of the Solicitor General—the adviser of the Crown—it is still more extraordinary that so little of the facts should be known by the administrators of the Crown. I will refer the House to a Return of last year, which contains a list of refusals of licences by Magistrates for the year 1886 and the four preceding years. I call particular attention to this, because I undertake to show that not here and there, and not by scores but by hundreds, the Magistrates are refusing to renew these licences on the ground of public interest alone and because the houses are not required. This is not, then, a dry question of technical law, but of actual public administration. I was challenged on this point by the hon. and learned Member for North West Ham, who has a very extensive personal knowledge of those matters; but he has not a knowledge of the practice throughout the country such as is shown in the paper I am about to quote. Let me give some examples. I will take the County of Chester. Here are two victuallers' houses and four beer-houses in the Leftwich Division, of which the licences are refused on the ground that they are not required. I do not know whether my right hon. Friend the Chairman of Committees (Mr. Courtney) is in the House, but here is a case from the Liskeard Division which would interest him. The hon. and learned Member for North West Ham (Mr. Forrest Fulton) said he did not care about the Northampton case, as there had been no appeal to Quarter Sessions in that instance. Well, here is a case

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where there was an appeal to Quarter Sessions. There are five cases from the Liskeard Division where the licences are refused; and what is the reason, given? "Licence not necessary for the requirements of the district," "Ditto, ditto, ditto, ditto." "Refusal to renew confirmed on appeal to Quarter Sessions." Is my friend the Chairman of Committees going to vote? [*Cries of "No, no"* from hon. Members below the Gangway.] I am glad he has so many godfathers below the Gangway. This would be an interesting case for his constituents to consider. There are in this Return three columns—there are the licensed victuallers' houses, the beer-houses, and a number of other licences. As regards the discretion of the Magistrates, and as regards the right to compensation for taking away the licences, they all stand upon the same footing, with the exception of the limited class, which does not come in here, of the beer-houses licensed before 1869, and which are specially protected. If you go through this paper, you will find hundreds of cases where licences have been taken away without compensation, and simply on the ground of public interest, and that the houses were not required. I do not wish to weary the House; but I really do regard this as the most material part of the case. Here is a case in the county in which I myself reside. In the Kingsclere Division of Hampshire two off beer licences, and one under the head of "other licences," were refused on the ground, "Licences not required for the accommodation of the public," and on nothing whatever of a personal nature. Then there is a case from the Rossendale Division. Twenty-four licences were refused because of "no necessity" simply. On page 12, I find 15 "off" licences refused on the ground, "Not required," notice having been previously given that they would be objected to on that ground only.

SIR E. CLARKE: Off licences?

SIR W. HARCOURT: If the Solicitor General is prepared to set up some more bad law I will argue that point; but for the present I will undertake to say it was decided in the Darwen case and in "*Sharp v. Wakefield*," which was a case of an on licence, that the discretion of the Magistrates is absolute in all cases,

except in the case of beerhouses, which come under the Act of 1869. In the Leigh Division of Lancashire 48 licences for the sale of beer off the premises were refused on the ground that they were not required. In the Wigan Division of the same county 11 licences were refused on the ground that they were not required in the neighbourhood. In fact, there is not a single page in this Return in which you will not find that in county after county and in borough after borough the Magistrates have been taking away these licences as disadvantageous to the public. The Magistrates have got the power and are using it. Their consciences have been awakened on this subject, and they are doing the work which you propose should be done under this Bill a great deal better than it would be done if your scheme of compensation were established. Whether you take off licences or on licences in this Return you will find that the Magistrates are now cancelling and refusing to renew licences simply on the ground that there are too many of them. On page 37 you will find the Over-Darwen case, and on page 38 there is a record of the refusal of 31 licences. In none of the cases mentioned here was any compensation given. Why? Because the Magistrates knew that they had a right to refuse these licences. The President of the Local Government Board, addressing the deputation from the Church of England Temperance Society, said—

"The Government were persuaded that there was an enormous amount of harm done by the small fry of public houses, houses of comparatively little value, and which probably would be of no market value if conducted in such a manner as they would wish to see."

Well, if these houses are of small market value, or of no market value, why pay compensation in respect of them? The hon. and learned Member for North West Ham, who is conversant with the subject, has declared that there are a great many public houses in the country and in London which are conducted at a loss, and yet you propose to buy these houses up with public money. Was there ever so monstrous a proposition? I undertake the defence of the Magistrates of this country against the Government. I say they have not been neglectful of their duty, and the assumption that you must have a Bill of this

kind because the Magistrates do not control these licences is as unfounded in fact as it is absolutely without foundation in law. If it were otherwise the proper remedy would not be a Bill of this kind, but to change the authority, to supersede the trustees, to put in the place of the Magistrates the County Council or some other Representative Body which would do that which the Magistrates ought to have done. The hon. Member for North Hants (Mr. Jeffreys) complained the other night that the police do not report the houses to the Magistrates. Is it not perfectly understood that the police are not expected to report houses in many cases? I think the Magistrates would do well if they gave instructions to the police to be much more careful about reporting public houses than they are at present. Now, what will be the effect of this legislation? The result will be to increase enormously in value the property of the great Joint Stock Brewery Companies. You are to buy out the small men, and the big men will be established behind the impregnable barrier of a guaranteed monopoly. A worse use to put the public funds of the country to I cannot conceive. In my neighbourhood the free public houses are all being bought up by one brewer. If a brewer owns, say, five public houses, and you buy up two, the only result will be to increase the value of the remaining three. Everyone knows that is the way the thing will work. In my opinion, you will not increase temperance in the least if you leave three public houses out of five in a village. There will still be as much drunkenness as when there were five. I remember the late Mr. Henley, who was one of the most sagacious men who ever sat in this House, saying that it was a vain thing to imagine that by buying up one or two public houses here and there temperance would be promoted. I believe, from what I have heard since, that that opinion is perfectly well founded. This purchase operation of yours, involving an outlay of £350,000 a year, will act like the Sinking Fund, which keeps up the price of Consols, for it will keep up the price of public houses all over the country in the interest of the great breweries. You do not tell the County Councils on what principles they are to buy. You do not all go as far as the Solicitor General, or that ultra-publican the Member for South Tyrone



(Mr. T. W. Russell) ; but you say that something must be given to the publicans because they have an expectation worth something, and in consequence you propose to buy up some of the public houses and to increase the value of the remainder. A paper has been handed about this afternoon respecting the argument of the noble Lord the Member for Paddington (Lord Randolph Churchill) on the Probate Duty. The noble Lord thinks he has made a great discovery—so he has. It is one of the most remarkable mare's nests ever brought to light. The Inland Revenue officers will always get money out of everything they can. Do you suppose that if a man at the time of his death was in possession of smuggled goods they would not take probate on them? Of course they would. To say that the practice of the Inland Revenue officers on a matter of this kind makes any difference is altogether an absurdity. Of course this scheme will operate exactly like a tontine. You will buy out some public houses and increase the value of the remainder. You propose to weed the garden of the public houses so as to allow the plants that are left to grow to gigantic size. You have no right to impose upon the County Councils the duty which you propose to put upon them without telling them the principles upon which they are to act. It is not fair to them or to the public. You say this Bill does not involve compensation. My right hon. Friend the Member for Mid Lothian (Mr. Gladstone) pointed out that such a statement was against common sense. What will the publicans say to this Bill? Will they think it does not involve compensation? I received the other day—I suppose as a mark of their confidence—the last number of a publication called *Brewers and Distillers*, in which it is said :—

“It may be wise or very much otherwise on the part of the Government, from a strictly Party point of view, to re-introduce the dropped compensation clauses under cover of a Local Taxation Bill. With that we have nothing to do. The sole question for us is whether, assuming the Government to be strong enough to carry these clauses in the teeth of opposition from hot foes and lukewarm friends, the liquor trade is likely to stand on a firmer footing.”

And the conclusion at which they arrive is this :—

“If Lord Salisbury and his Colleagues and supporters succeed in passing this Bill, the  
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trade, as a guild and vested interest, will have no need of any further plea for compensation.”

There is only one condition they make, and that is : that the off-licences shall be included in the Bill, in order that the principle of compensation may apply to every kind of licence; and that is the concession which the Government have made to the Church of England Temperance Society.

\*MR. RITCHIE: That was not at all what the Church of England Temperance Society asked. What they asked was that so far as the Suspensory Clauses were concerned, off-licences should be included.

SIR W. HARCOURT: Well, Sir, however that may be, in my opinion this Bill was introduced, not because the Magistrates cannot and do not terminate licences, but because they can and do; and because the publicans are now finding out that public houses are being put an end to without compensation, they demand a Bill which will ensure that they shall not be put an end to without compensation in the future. You say that the jurisdiction of the Magistrates will remain unimpaired. Well, I think my right hon. Friend the Member for Mid Lothian has pretty well exposed that statement. You cannot have two Kings of Brentford smelling of the same public house. Take the Red Lion or the Blue Boar. The County Council say to the Magistrates, “It is a bad house, refuse the licence.” The Magistrates will say to the County Council, “Is it a bad house? Then buy it up.” That will be the position between those two bodies. The Home Secretary says that the County Council will be able to offer a particular sum for a house, and say, “If you do not take a particular sum we will go to our friends, the Magistrates, and get them to take away the licence.” I should like to know what will to-morrow be the view of the trade on that threat of the Home Secretary. You say to offer them a particular sum, and they do not take that, you are to give them no compensation at all. A most unjust, or a more indefensible proceeding I never heard. How can the Magistrates continue, as they are now doing, to put an end to licences when you erect a special body for the purpose of buying them out? It is quite obvious, my right hon. Friend the Mem

for Mid Lothian has said, that you will entirely paralyse their authority. I was much struck by what the hon. Baronet the Member for Manchester said in his speech the other night, that he thought it was very likely that the County Councils would not exercise the power you give them. I am sure I hope they will not. I hope public opinion will be strong enough to prevent their paralysing the hands of the Magistrates and wasting public money. I hope the London County Council will take the view it seems disposed to take, and repudiate altogether an office which, in my opinion, can only be exercised to the public disadvantage. I cannot conceive on what principle the County Councils will proceed. The haggling for these public houses was described by the Home Secretary in a most amusing form. He said the County Councils would hold up to them the figure of my hon. Friend the Member for Cockermouth, and tell the publicans that if they did not take a particular sum a worse thing would happen to them, that then they would point to "Sharp v. Wakefield," and that that would induce the publican to take a small sum. But, Sir, the publican will say, "I do not care for that case. That was only decided by the Judges of the land. I have got the Solicitor General on my side. What do I care about the Member for Cockermouth? I have got the Home Secretary on my side." And, therefore, I venture to say this manner of putting down the publicans will be totally unsuccessful. It is said that we are inconsistent on this side of the House in taking this course on the subject of compensation. I deny that. In the year 1883 I stated these views on the part of the Cabinet after mature deliberation—a Cabinet of which both the noble Lord the Member for Rossendale, and the right hon. Gentleman the Member for West Birmingham were Members. In that year the Cabinet expressed a deliberate determination to support the principle of local option, and the transfer of the power of the Magistrates to an Elective Body. That will be found stated in the Debate of 1883, and to those principles we adhere exactly in the form they were then stated. I stated then that we supported and recommended the transfer of power to the authority of a Representative Body, without any proposal of compensation. Now, Sir, it is

said that the Temperance Party accept a great responsibility in declining this measure. I admit that entirely, and we accept the responsibility. I say that this Bill does nothing for the cause of temperance which is not equally well and better done without it. You say that you are going by this Bill to suspend the issue of further licences. I am obliged to say to that "Thank you for nothing." The fact is that no new licences are being issued by the Magistrates of this country except upon the conditions which you propose by this Bill. We have already got that security in an ample form by public opinion and the action of the Magistrates, and I deny that it is any advantage that you offer to the temperance cause. Then you say that you get rid of the small fry of the public houses by this Bill; I say that the Magistrates have the power and are getting rid of them already. You say that we must go by degrees in this matter. I do not believe that any great change of this kind can be made suddenly, but the Magistrates are going by degrees, and I hope that every day they will go faster in the exercise of their authority. The right hon. Gentleman the Member for Mid Lothian has shown conclusively that this Bill will practically paralyse the power of the Magistrates, and that it is an enormous evil. That is the good which you profess. I say that all the good you profess can be done, and is being done now, and we prefer to be left alone. But this Bill not only does no good which is not being accomplished, but it does a great deal of evil. The evil you are doing by this Bill, in my opinion, is that you are giving a practical recognition by Statute to a portentous monopoly. That is a very great evil, whatever you may intend—and I am not bringing a charge of any evil intention against the Government; on the contrary, I believe that they have the best intention in this matter—but we believe that the result of your action will be for the first time to give Parliamentary sanction to and a permanent property in licences; that you will have accomplished that which your predecessors in legislation desired specially to prevent—namely, that licences should have anything more than an annual existence. You are creating by implication in this Bill a freehold property of millions of money which will hang like a millstone

round the neck of society in this country, and that is an enormous evil. As to the fallacy that this money will come from drink, I need say nothing; the right hon. Gentleman the Member for Mid Lothian has said enough with regard to that. These we believe to be the evil consequences of your legislation; we cannot and will not consent to it. We believe that so far from advancing the cause of temperance it will greatly retard it. We believe that, whatever you may intend, it is an insidious and a fatal blow to the future prospects of the Temperance cause. You say that you have got the support of the Church of England Temperance Society. Yes, I know, but I think you will find that the Church of England Temperance Society does not now represent, and never has represented, the great body of the Temperance Party in this country. They have had many questions which they have preferred to that of temperance at the critical moment, and though they may have one eye upon the Compensation Bill, they have the other eye upon the next Bill which is coming before the House, the Tithe Bill, and do not suppose that with the Temperance Party in this country the executive caucus of the Church of England Temperance Society is going to carry any considerable weight. Then you have got the aid of the hon. Member for South Tyrone. Well, you have used that instrument so often that you have used it up. The hon. Member for South Tyrone is a faithful and well-trained setter, who at the crack of the Government whip is always ready to go "down-charge." As to the influence he will give you with the Temperance Party, why, his influence with to-day is about on a level with his influence with the tenants of Ireland. He has been advocating both, and he has deserted both. The hon. Member has spoken very freely of me, and I may speak freely of him.

MR. T. W. RUSSELL (Tyrone, S.): I have not the slightest objection.

SIR W. HARCOURT: I am sure he has not, because he is a fighting man. Well, the hon. Baronet the Member for Cockermouth said that you would carry the Second Reading of this Bill. Of course you will. Why, with your composite majority you will carry the Second Reading of the Bill, but when you carry the Second Reading you will not have advanced very far upon your road. You

are only at the commencement of this struggle, and depend upon it we mean to fight it out to the end. The consequences are too tremendous, the stake is too immense, to be settled by a single Division. We shall offer to this Bill, at every stage of it, the most persistent and determined resistance. We are resolved that the country shall have time to understand the whole question, and the liabilities in which it involves it. We are determined that the taxpayers of the country shall know what it is that this Bill makes them responsible for now, and what it will make them responsible for in the future. We believe that it erects an insuperable barrier against the hopes of temperance reform. We shall resist this measure to the best of our abilities in this Parliament, and if you should succeed in carrying it into effect in this Parliament, we believe that there is no count in the indictment we shall bring against you in the next which will more entirely condemn you than this.

\*(11.22.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): We are accustomed to hear from the right hon. Gentleman language such as that with which he has just concluded his speech. We are frequently told that the Second Reading of a Bill may be carried, that we are beginning a great struggle, and that the consequences which will follow are to be tremendous. We have encountered such things in the past, and we hope to encounter them successfully in the future, and even if this Bill does become law we shall face that indictment which he says he will make against us in the country without feeling that alarm which he presages for us. We are told that the country shall know what this Bill makes them responsible for. That is the one thing which we most heartily desire. No measure has been at any time submitted to Parliament with regard to which so much misapprehension, not to say misrepresentation has been prevalent. We are told by the right hon. Gentleman that this Bill will place an insuperable barrier against temperance reform. The right hon. Gentleman was good enough to give the Government credit for good intentions, and I suppose he will give us credit for ordinary intelligence. I am unable to see by what means a measure which proposes to prohibit the issue of fresh licences, which affords facilities for

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diminishing the number of public houses, places an insuperable barrier against temperance reform. At the beginning of his speech the right hon. Gentleman constructed what appeared to me to be a serious indictment against the Magistrates of the country, although he was good enough to say that he believed the Magistrates had, on the whole, done their duty and had acted in accordance with public opinion, and had sought to diminish or control the issue of licences so that they should not be in excess of the wants of the community. There was one interesting portion also of the right hon. Gentleman's speech, in which he referred to a Return presented to the House last year, and from which he argued that a great reduction in the number of public houses had been effected during the last five or six years, by the Magistrates. The Return purported to be a Return of the number of licences for the sale of intoxicating liquors in which renewal has been refused in 1886 and the four preceding years. In the summary at the end of the Return it is shown that in England and Wales 432 publicans' licences were refused in the five years from all causes whatever.

Sir W. HARCOURT: 9,241 licences of every description were refused.

\*Mr. W. H. SMITH: The numbers are 432 publicans' licences; 832 beer house licences; and upwards of 900 other licences. I think that the right hon. Gentleman said that the Magistrates are refusing licences by the hundreds, and I think he left it to be inferred that these were licences that the County Council would deal with under this Bill.

Sir W. HARCOURT: No, I said scores. I said there were hundreds of licences of all descriptions. Of course, the publicans' licences are much the fewer.

\*Mr. W. H. SMITH: Now, I think we are getting to the facts of the case. I understand that the hon. Baronet the Member for Cockermouth and the hon. Member for Barrow desire above all to see the number of public houses diminished, because it is the public house which is the danger to the community. Now, instead of these public houses being refused by the hundred on other grounds than misconduct—

Sir W. HARCOURT: No, I do not say that.

\*Mr. W. H. SMITH: Well, then, it is not to be understood that during the last five years Magistrates have refused the renewal of public house licences by hundreds; that is not to be understood, and, therefore, the power not having been exercised, we are in face of a difficulty which renders it necessary for the House to consider whether it is, on the whole, advisable in the public interests that things should remain as they are. I say that the number of cases shown in this Return of refusals to renew licences on the ground of their not being required is 46 only in the five years. The total number of public house licences refused in the five years was 432. Of these, 386 were refused on the ground of misconduct or because of the houses themselves being shut up; 46 were refused on other grounds than those; and as regards those 46, 26 were not appealed from. There were 20 appeals; of those 20 appeals 15 were successful, and the licences were granted on appeal; and in only five cases were the refusals confirmed. According to this Return we have, therefore, the net result that in five years 46 public houses in England and Wales, out of a total of 67,125, were closed because they were not required, in the judgment of the Magistrates, for the convenience of the neighbourhood. The right hon. Gentleman may be of opinion that that is a satisfactory result and that it is desirable to maintain that total number of 67,000; but we do not agree with him in that view. We think it is expedient, notwithstanding the dangers which he has shadowed forth, to supplement the machinery which is in existence for regulating the number of public houses in England by allowing a representative Local Authority to exercise the influence, power, and knowledge its members possess in order to diminish the number of houses which offer temptations to drink. I will not enter into the arguments of the right hon. Gentleman as to the law of the case; I am not dealing with the law; I am dealing with the facts; and I think I have adduced enough to show that Magistrates have not the power to reduce licences, or do not like to exercise it on their own responsibility. Coming to another point, I think it is right the House should know that there is no trade carried on in this country which is more constantly

subjected to Probate Duty than is the trade of the publican. When the Office of the Chancellor of the Exchequer was held by the right hon. Member for Derby and by the right hon. Member for Mid Lothian Probate Duty was exacted as now upon the goodwill, and upon the leases of publicans to a larger extent, and in a larger proportion than it was exacted, or is exacted, upon any other trade. A paper has been handed me to-day by the Inland Revenue Department showing in several cases the amounts of valuation for probate, as compared with the amounts at which publicans had been assessed to Income Tax; and the figures in three cases are as follows: Income, £300; probate, £1,000; income, £200; probate, £1,000; income, £600; probate, £2,300. These amounts are larger in proportion than in almost any trade that is carried on in the City of London.

SIR W. HARCOURT: On how many years' purchase is assessment made?

\*MR. W. H. SMITH: The right hon. Gentleman will find that £2,000 is 10 years' purchase of a house assessed in Schedule D at £200; that £1,000 is five years' purchase of a house assessed at £200; that £800 value is three and a quarter years' of a house assessed at £250 a year, and so on. I hope I have convinced the right hon. Gentleman that the value of this property depends entirely upon the licence, and that the Inland Revenue, the Chancellor of the Exchequer, and the Government have assessed Probate Duty at three, and, in some instances, 10 years' purchase. As regards the lease, the right hon. Gentleman is himself aware of the circumstances under which the Property Tax is paid under Schedule A. An examination of Schedule A shows that of two houses, one being precisely the same in accommodation as the other and of the same value, except so far as the licence is concerned, the licensed house pays upon £140 a year, while the unlicensed house pays £100. Then, again, so far as Succession Duty is concerned, the owner of the licensed house pays upon the capitalised value of £140 a year as distinguished from the capitalised value of the unlicensed house at £100 a year. The assumption of the Inland Revenue, therefore, is that the licence will be renewed unless there is any fault on the

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part of the individual himself; and the evidence furnished by this Return shows that in only 31 cases altogether out of 67,000 in five years has the licence been refused on the ground of public necessity. I observe in the speech of the right hon. Member for Mid Lothian there was a singular tendency to hark back to the extraordinary view of Free Trade which I believe he at some time entertained. He referred to a system which prevailed in Liverpool some years ago. We all remember when Free Trade licences existed in Liverpool, but we also remember that universal public opinion put an end to that Free Trade, and it was denounced as being most injurious to the interests of the community. Do what we will, we have to face a problem, and if we can by any means reduce the number of public houses we shall, I believe, be doing great benefit to the community. I will not at this hour detain the House at any length, but I must say a word as to the extraordinary misconception which prevails with regard to this Bill. The right hon. Gentleman opposite says that if this Bill passes it will paralyse the action of the Magistrates. I have already shown what that action is at the present time, and that only 31 public houses in five years have been closed owing to the extraordinary action of the Magistrates. There appears to be an impression abroad that this Bill is different from what it really is. I have here a Circular from the Congregational Union of England and Wales—a most respectable body, quite incapable of making intentional misrepresentations. In that Circular they protest against the principle of compensation for non-renewed licences for the sale of alcoholic liquors being created by Act of Parliament, or a right given for continuation of licence. That is an entire and absolute misrepresentation. The power to purchase licences depends upon a licence being in existence. If a licence had not been renewed it could not be purchased. It would be contrary to law, and it would be a breach of the law if any money were given to any person for any licence which had been refused. To represent this as compensation for non-renewed licences for the sale of alcoholic liquor is to state what is not the fact. It is only necessary to read the words of the clause by which the County Council are empowered—

"To agree with any person having any interest in premises in the county in respect of which a licence has been granted, with the view of such premises ceasing to be used for the sale of intoxicating liquor," to see that if the licence has been refused there is no power in the County Council to give any compensation to the possessor of the licence. The clause is an absolute negative to the proposition in the Circular I have alluded to. Then I have received a letter from a gentleman belonging to the Congregational Church in Crediton (Mr. F. Allen), in which he says that if the basis of compensation could be shifted from the fictitious ground of legal right or vested interest and payment be made only on the basis of deprivation of annual income, he believed that the great bulk of the people would support the proposal. The suggestions made in that letter are in entire harmony with the provisions of the Bill. The gentleman knows nothing at all about it, but says that if the basis of the payment made was on account of an individual being deprived of his means of livelihood the public generally would support the Bill. That is precisely what we intend to do. We must come to this conclusion—that, whatever the law may be, the licences are renewed. I have shown that the reduction effected in the number of licences, on the ground that they are not required, is absolutely infinitesimal. There is no progress whatever made in that direction, because the Magistrates have before them the knowledge that these men have a property in their licences and the goodwill of their houses, and that it would be absolutely unjust to deprive them of it unless they have committed some offence. Even a Magistrate who is a teetotaler feels that he would be committing a personal wrong in such circumstances. By this Bill we put no restraint whatever upon the power of the Magistrates to renew licences; we do not paralyse their action in the slightest degree. There is the evidence of the right hon. Gentleman the Member for Derby that the Magistrates are doing their duty with the consciousness that the eye of the public is upon them. I could give the House further instances in regard to the valuation of goodwill, but there is one fact to which I would wish to call attention. In all these numerous instances of probate being charged upon

the goodwill, no single application for a return of the duty can be traced at Somerset House, although the person who paid the tax would be entitled to make such an application if the licence were not renewed. Therefore, it can be fairly inferred that the licences have always been carried on to the successors. One right hon. Gentleman, who was also the Chairman of an important County Council, has stated that he did not anticipate the least difficulty in carrying out the provisions of the Bill; and I do not apprehend that the London County Council will hesitate to discharge a duty which the Legislature has imposed upon it. The right hon. Gentleman the Member for Derby gave us an alarming forecast of the terrible consequences of the passing of this Bill. He has told us we are only at the commencement of opposition that will take the most extreme shape, and that if the Act passes the consequences to us will be most disastrous—tremendous, I think, he said. But I believe that the consequences of the Bill, though not tremendous even for good, will tend greatly to the advancement of temperance. There is no compulsion on the Councils to buy, and there is none on the publicans to sell. I myself rather welcome a proposal which does not involve that unpleasant word "compulsion"—a word that seems so grateful to hon. Gentlemen opposite. But there are many persons throughout the country who are most desirous to diminish the number of public houses, and there are many landowners who will gladly assist the County Councils in the work of reduction. Many who have strong interests in promoting order and peace and morality in their neighbourhoods will do their utmost, now that these facilities are provided, to help to make the machinery of the measure operate. At any rate, as the right hon. Gentleman opposite has admitted, this Bill is an honest attempt on the part of the Government to abate an evil. How was it that we were able to introduce this scheme? The Chancellor of the Exchequer, in his opening Budget statement, had to confess that there was an enormous increase in the consumption of drink. It was believed that the work of the Temperance Party had arrested that consumption. But it has been shown that, with increasing prosperity and ability to purchase, those who desire to

possess themselves of alcohol have largely given way to the temptation. The temperance movement has failed to arrest the desire, and if, with higher wages, we have but to look for a larger Drink Bill, there is a sufficient reason why the Government should believe that the House and the country are prepared to assent to the restrictions which we propose on the facilities for drinking. The circumstances under which the Bill was prepared not only justified it, but made it imperative. Reference has been made to the working classes in this debate, and I can only say that it is not for us to place temptations in their way. It is for us to lessen those temptations if we have the power to do so, but we can hardly say to those men, "We can trust you with the franchise, but we cannot trust you with the control of your own appetites." I admit that it is desirable that we should do our best to reduce the number of public houses, but it is absolutely impossible to carry out any scheme amounting to a total prohibition of the traffic. There is another point to which I wish to refer, and that is to a Resolution moved by the right hon. Member for West Birmingham, on March 13, 1877. It was as follows:—

"That it is desirable to empower the Town Councils of boroughs under the Municipal Corporations Acts to acquire compulsorily on payment of fair compensation the existing interests of the retail sale of intoxicating drinks within their respective districts; and thereafter if they see fit to carry on the trade for the convenience of the inhabitants, but so that no individual shall have any interest in, nor derive any profit from, the sale."

That Resolution was supported by, among others, the right hon. Member for the Bridgeton Division, the right hon. Member for Sheffield, and even by the hon. Baronet the Member for Cocker-mouth himself. It is clear, therefore, that the hon. Baronet was at one time, if he is not now, willing to give fair compensation to the publican. Hon. Members opposite, it is said, are now alarmed at the enormous figures that have been brought forward to show the vast cost that would be involved in acquiring the entire trade; but, Sir, I have always denied the expediency of such a course, and the Government have no intention of seeking to acquire the entire trade. The right hon. Gentleman opposite has spoken of it costing from £250,000,000 to £400,000,000 to give fair compensa-

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tion to all who are interested in the trade, but I repeat the Government are opposed to such an idea. We certainly think that the number of licences is too large. We desire to diminish them, but we do not desire, with the right hon. Gentleman the Member for the Bridgeton Division, to pay £250,000,000 of public money in compensation in order to acquire the interest of everybody engaged in the liquor trade. We do not ask that any considerable number of persons shall be compensated compulsorily because we do not propose to take any person's trade by compulsion, and do not, therefore, propose to compensate anybody. What we do propose is that, at the discretion of the Representative Authority, power shall be given to that authority to purchase houses where they are admitted to be in excess of the needs of the population. I say that it is possible to diminish the temptation to which large numbers of our fellowmen are subjected, and I think that this House is bound to second any honest efforts on the part of the Government, to lessen the evils which are admitted to exist at present in the drink traffic, and, without in the slightest degree diminishing the responsibility of the Licensing Authority, or without interfering in the smallest measure with their action in any way in which they can legally act to lessen the evils we all deplore. I say that the House will do a good work if, with that object in view, you enable the County Councils to purchase some of those licences from year to year.

DR. HUNTER (Aberdeen, N.): I rise, Sir, not to take part in this Debate, but to ask a question of the Government. I do not know whether they will answer it, but, if they do not, it is one of those matters in which their silence will be as significant as their speech. With regard to the Scotch portion of the Bill, we are in this position—that the Scotch Members approve of it generally, but there is one part of it with regard to which a difference of opinion arises, that is, with regard to the buying up of the licences. The question I have to ask is this—If the Government find that a majority of the Scotch Members are opposed to that portion of the distribution of the money allocated to Scotland, and which does not belong to England, will they withdraw that clause as far as it applies to Scotland?

\*MR. W. H. SMITH: I think the hon. Gentleman must feel that that is not a question which I can answer here. While we wish to pay the greatest respect to the opinions and wishes of the Scotch Members in Committee, we are certainly not in a position to enter into any engagement here.

(12.10.) The House divided:—Ayes 339; Noes 266.—(Div. List, No. 86.)

Main Question put, and agreed to.

Bill read a second time.

(12.32.) SIR W. HARCOURT: Will the right hon. Gentleman the leader of the House give the House an assurance that the Committee stage of this Bill will not be taken before Whitsuntide?

\*MR. W. H. SMITH: The Committee stage will not be taken before Whitsuntide.

CUSTOMS AND INLAND REVENUE  
BILL.—(No. 231.)  
COMMITTEE.

Order for Committee read.

(12.36.) MR. T. M. HEALY: I would put it to Her Majesty's Government that we cannot, at the Morning Sitting to-morrow, discuss the Clauses of the Customs and Inland Revenue Bill which bear upon the subject we have decided to-night. Four clauses of the Bill have been postponed. As to that part which was not postponed, we are unanimously agreed; but we disagree as to the postponed clauses, and I would urge on the Government, in a spirit of friendship—deprecating in the strongest degree anything in the nature of a hostile attitude—that, in the interests of the taxpayers and of the finance of the country, the clauses as to which we are not agreed should be added to the Bill, the Second Reading of which we have just passed. If the Government will concede this point I can assure them that the concession will not be regarded by hon. Members on these Benches in a spirit of triumph, or as giving us an opportunity to crow over them; and I think I can also assure them that they will get their Budget Bill with unanimity. If they accept my suggestion we shall have a contentious Bill and a non-contentious Bill, and the latter will pass with unanimity.

\*(12.36.) MR. W. H. SMITH: I fully endorse the sentiment of the hon. and

learned Member; and trust that there will be no acrimony on either side in regard to this matter; and if the Government are unable to accept the suggestion he has made, I trust it will not be considered that it is owing to hostility to himself or his proposal. The tax the hon. Member has referred to is being levied in accordance with the Resolution of the House, and it would occasion considerable inconvenience if delay occurred in putting the Resolution into an Act of Parliament. Though part of the proposed taxes are to be applied to licensing reform, there are other important portions bearing upon other matters which require the sanction of Parliament at an early date. Under the circumstances, I think the hon. Gentleman will see we are justified in withholding our assent to his proposal.

Committee deferred until to-morrow at Two of the clock.

AGRICULTURAL LABOURERS' (IRELAND) BILL.—(No. 4.)  
COMMITTEE.

Order for Committee read.

MR. TOMLINSON: I object.

(12.38.) MR. T. M. HEALY: As a matter of order, Sir, I would ask whether you should not leave the Chair without Question put? I would not press you for a decision at the moment, but will raise the point again on another occasion.

\*MR. SPEAKER: I think the hon. Member is right, and that I should leave the Chair.

MR. SPEAKER left the Chair accordingly.

In the Committee (MR. JACKSON in the Chair).

Clause 1.

Question proposed, "That Clause 1 stand part of the Bill."

MR. TOMLINSON: I object.

(12.39.) MR. T. M. HEALY: I beg to suggest that a Question should be put from the Chair before objection is taken. An objection in Committee disposes of nothing. But, Sir (MR. JACKSON having left the Chair when objection was taken), I would respectfully submit to you that you should take the Chair to begin with.

(12.39.) THE CHAIRMAN (having resumed the Chair): Though I am bound to take the Chair I understand that, as



objection is taken, no Question can be put.

(12.39.) MR. T. M. HEALY: Might I respectfully suggest that a Question should be put before objection can be taken?

THE CHAIRMAN: I have called Clause 1. It is not necessary to put a further question.

MR. T. M. HEALY: I submit to you, Sir, that you have just ruled that you should not put the Question.

THE CHAIRMAN: I would point out that no objection was raised, and the hon. Member in charge of the Bill moved that I report Progress.

Objection being taken to further Proceeding, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again this day.

#### MARRIAGES IN BRITISH EMBASSIES, &c., BILL.—(No. 183.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Monday, 2nd June.

#### NEW LICENCES (IRELAND) BILL.

(NO. 249.)—SECOND READING.

Order for Second Reading read.

MR. T. M. HEALY: I wish to ask the Government what they intend to do with regard to this Bill after the Second Reading of the Local Taxation Bill to-night? They promised, as I understand, to re-commit that Bill *pro forma* with regard to Ireland. I would submit that it is desirable to have the Irish Bill separate and distinct from the English Bill, and that the Government clauses should be tacked on to the former. I merely proffer the measure as a general outline, which is subject to amendment. I want to know whether the Government are in earnest in regard to the suspension of new licences. All parties in Ireland are agreed in supporting my measure, and I would suggest that this Bill should be read a second time to-night, if only *pro forma*. I beg to move the Second Reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(Mr. T. M. Healy.)

MR. A. J. BALFOUR: I have not the slightest objection to the principle of the  
*The Chairman*

Bill, though I am somewhat surprised that the hon. and learned Gentleman should have thought it necessary to bring it forward. The omission of Ireland from the Government measure was purely a matter of accident, and, as far as I am aware, it is not even necessary to re-commit the Bill *pro forma* in order to introduce an Amendment.

MR. T. M. HEALY: But that promise was made distinctly by the First Lord of the Treasury.

MR. A. J. BALFOUR: I do not know what my right hon. Friend may have said; but, at all events, the substance of what he said, and what I now say, is identical—that Ireland should share to the full in the advantages now given to England and Scotland with regard to the non-granting of new licences. Under these circumstances, I think it is hardly worth while for the hon. Gentleman to put the House to the trouble of deciding this question. I have, however, not the slightest objection to his Bill running *pari passu* with the Government measure, and I do not object to the Second Reading.

Question put, and agreed to.

Bill read a second time and committed for to-morrow.

#### LIFE AND PROPERTY PROTECTION BILL.

On Motion of Mr. Dixon-Hartland, Bill for the better protection of Life and Property in the United Kingdom, ordered to be brought in by Mr. Dixon-Hartland and Mr. Moss.

Bill presented, and read first time. [Bill 277.]

#### SLANDER LAW AMENDMENT BILL.

On Motion of Mr. Gully, Bill to amend the Law relating to Slander, ordered to be brought in by Mr. Gully, Mr. Robert Reid, Mr. Addison, Mr. Dugdale, Mr. Caine, and Mr. Milvain.

Bill presented, and read first time. [Bill 278.]

#### WORKING CLASSES DWELLINGS BILL.

On Motion of Mr. Knowles, Bill to facilitate gifts of land for dwellings for the working classes in populous places, ordered to be brought in by Mr. Knowles, Mr. Ambrose, Mr. Cozens-Hardy, Sir William Houldsworth, Mr. Sexton, Mr. Warrington, and Mr. Whitmore.

Bill presented, and read first time. [Bill 279.]

#### METROPOLIS MANAGEMENT AND BUILDING ACTS (AMENDMENT) BILL.

Select Committee on the Metropolis Management and Building Acts (Amendment) Bill nominated of: Mr. Bartley, Mr. Richard Chamberlain, Mr. Leveson Gower, and Mr. Causton, with Three Members to be added by the Committee of Selection.

House adjourned at five minutes  
before One o'clock.

HOUSE OF LORDS,

*Friday, 16th May, 1890.*

**REGISTRATION OF VOTERS (BOROUGH  
OF BELFAST) BILL.—(No. 91.)**  
**SUCK LIVER DRAINAGE (PROVISION  
OF FUNDS) BILL.—(No. 92.)**

Brought from the Commons; Read 1<sup>a</sup>,  
and to be printed.

## RECENT ANGLO-GERMAN RELATIONS.

### QUESTION—OBSERVATIONS.

THE EARL OF ROSEBERY: My Lords, I rise to ask the noble Marquess opposite a question of which I have given him private notice. I will offer him no apology for asking it, because although the subject to which it refers is evidently a ridiculous fabrication, it is none the less desirable he should have the opportunity of pointing out in his place in Parliament how entirely baseless it is. Yesterday in one of the morning papers there appeared a translation of a statement which appeared in a German newspaper, from which I will read an extract—

"It is an open secret that in the summer of 1889 the German Foreign Office requested England almost peremptorily to conclude an offensive and defensive treaty, and to join the Triple Alliance. By this pressing demand put forward and made the topic at all the clubs, and by Count Herbert Bismarck's appearance, Lord Salisbury was exposed to considerable embarrassment, which was increased by the innumerable questions put by the Opposition, and specially by Mr. Labouchere. The natural consequence was a marked estrangement; and the Anglo-German relations were considerably strained when the Emperor William II. ascended the Throne,"

and so it goes on. That is the only part of the statement to which I desire to call the noble Marquess's attention, and I do so for the purpose of enabling him to give it an emphatic contradiction.

**THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY):** My Lords, I am much obliged to the noble Earl for having given me private notice of his question, and I have

in consequence looked at the translation of the article to which he refers. It is the most extraordinary fabrication that I ever saw. The statement that in the summer of 1888—

**"The German Foreign Office requested England almost peremptorily to conclude an offensive and defensive Treaty and to join the Triple Alliance"**

is an absolute imagination. The German Foreign Office has never requested us, either peremptorily or otherwise, to conclude an offensive and defensive Treaty, or to join the Triple Alliance. The German Foreign Office and Prince Bismarck, to whom the matter specially refers, were cognisant of the institutions of this country, and knew that it was perfectly impossible for any English Minister to enter into an offensive and defensive Treaty or to join the Triple Alliance, and no such proposition has ever been made to us. I also desire to deny in the most absolute manner that there was any marked estrangement or any estrangement in the Anglo-German relations when the Emperor William II. ascended the Throne. They were then as they are now, and as they have been for a very long time, relations of the most cordial friendship, founded undoubtedly upon the wisdom of the rulers who have guided Germany, but founded still more upon the natural interests and sympathies of the two peoples.

## NAVY—FLASHING SIGNALS—ADMIRAL COLOMB'S INVENTION.

**QUESTION—OBSERVATIONS.**

\***LORD SUDELEY:** My Lords, I am anxious to call your Lordships' attention to the invention of flashing signals used in the Navy, and to the treatment which the inventor, Admiral Colomb, has received in reference to that invention. Before I go into the matter I should like to make one remark, and that is, that I do not touch upon it in any way as a personal grievance alone, for if that were the case I should certainly not have taken up the question. If any injustice has been done it is not to Admiral Colomb alone, but it is to the whole service of the Navy generally. I have looked into the matter very thoroughly, and I have consulted all the principal authorities

upon the subject, and, I have come to the conclusion that there has been no doubt a very great injustice done, and that unless some suitable reward is given to Admiral Colomb there cannot be the slightest doubt that it will be looked upon in the Navy as a great slur and disgrace cast upon that noble Service. My Lords, I will endeavour, in bringing the matter forward, to deal with it as shortly as possible. First, in regard to its importance and value. Your Lordships are aware that it is of the most vital importance that the ships of the Navy should be able to communicate with each other on dark nights and also in fogs, for if men-of-war are unable to make such communication there can be no doubt that their usefulness is very seriously crippled, and undoubtedly they will often be in a very imminent peril. When you consider those circumstances, when you remember that our ships cost enormous sums of money—some of them nearly a million sterling—I think you cannot entertain the slightest doubt that any invention which tends towards their safety or usefulness must be of vital and paramount importance. My Lords, in the year 1859 the same system of light-signals was in force which had been used in the year 1799, and the same signals were used in the case of fogs, namely, guns fired at intervals. The system of signalling which was then used at night was merely the hoisting of a certain number of lanterns either vertically, horizontally, in squares, in triangles, or in some manner to form a particular figure. Unfortunately, mistakes in consequence very often arose. It was very difficult to see the signals at a short distance, and if a rope should get entangled in any of the lanterns the signals were entirely misunderstood, and great trouble was caused. The result was that only a few set signals were used, and even those were hardly used at all. In fogs, guns were used, being fired from one to five times to cover certain intervals. During the period that our ships were sailing ships the difficulties did not arise to the same extent, but directly steam was used the ships went at much greater speed, and the danger from not having proper signals was very much increased. In the year 1859 our Admiralty had become fully alive to the difficulty, and when an invention was

*Lord Sudley*

brought forward by an Austrian named Redl, they at once eagerly bought it up, and gave £1,500 for what they thought was an improvement. Unfortunately, that improvement turned out to be absolutely useless, and the money had been thrown away. Accordingly at that date the Admiralty looked round and they found a very intelligent officer who had taken a good deal of interest in signalling, and they asked him to undertake the duty of seeing whether some system of signals could not be invented by which signalling could be easily carried on at night. Mr. Colomb, now Admiral Colomb, at once set to work and for several years he worked away with great assiduity to see whether some new system could not be discovered. He found a great many difficulties in the way. He had to search through what had been done up to that time, and try a great many experiments. In 1861, after having worked for three years at the matter, he found himself quite successful, and that he had obtained a system which, if people were properly trained to work it, would undoubtedly be of very great service. Unfortunately, as very often happens under those circumstances, Admiral Colomb found he had immense difficulties to contend with. He found that people were prejudiced, that people would not believe it was possible to be done, and that when experiments were made they were often not admitted to have been successful, when perhaps five out of six persons thought they had been very successful. The result was, therefore, that he was bound to go on, and he worked steadily on until the year 1868, when finally this system of flashing signals was adopted and used. During those nine years he had undoubtedly to encounter very great difficulties. I have looked through the whole history of the matter and found that obstruction was constantly thrown in his way, that he had to encounter prejudice and trouble of all sorts; and I think Admiral Colomb is very much to be congratulated that, notwithstanding all those difficulties, he steadily pursued his course, until finally, in 1868, he succeeded in getting this system thoroughly adopted. During the first six years of that period Admiral Colomb had to pay all the expenses out of his own pocket. But in

1863 the Admiralty paid him a sum of £500 towards the expenses. My Lords, under the old system of light-signals there were constant mistakes made, and they could only signal for a distance of about one mile; but, under the new system of flashing signals, signals can be made up to 20 and 30 miles with the same ease and facility as can be done up to one mile. Under exceptional circumstances signals can even be made at much longer distances, and I believe on one occasion signals were made 60 miles away. That, of course, was done, as your Lordships will see, at once by using the flashing signals against the sky, and so reflecting the signals a long way off. My Lords, I do not wish to in any way make out that this invention was of any novel or extraordinary character. It was really an adaptation under very difficult circumstances of the Morse system of telegraphing. Instead of short and long strokes of the Morse alphabet you have long and short flashes of light for night signalling, and in fogs short and long sounds. As I have said, Admiral Colomb found very great difficulties in his way. One difficulty which I believe he could not for a long time overcome was that it is absolutely impossible to look steadily with the naked eye upon a winking light, or even with a glass, without losing a certain number of the winks; and if one of the winks should be lost the signal would, of course, become totally different. Admiral Colomb said, on the other hand, that this was a matter of training. He said—

“Look at your telegraph instruments. It requires education before men can properly understand them, and if men are trained they will very easily be able to distinguish the number of winks.”

He went on carefully and steadily, and at last he perfected a machine by which he was able, by putting a shade over a lamp, and by means of a certain mechanical arrangement, to entirely obviate the difficulty, and to make an accurate measurement of the time. And thus, my Lords, he perfected his machine. As to its great use, I think there can be no doubt. I believe there is not a single Admiral who has ever commanded a Fleet or squadron who will not acknowledge that without this system it would be absolutely impossible to manœuvre

vessels. Your Lordships will remember when the *Vanguard* was lost, and a Court Martial was held to inquire into the circumstances, it was stated that if the system of flashing signals had been properly used the loss of that vessel would not have occurred. In your Lordships' House sit several Peers who have commanded fleets. The illustrious Duke, who generally sits upon the Cross Benches, and who has lately returned to England, has commanded the Mediterranean Fleet, and is, I know, keenly alive to the importance of the subject, and it was his intention to come down and support me. Unfortunately, he has been detained elsewhere. He has, however, written me a letter which he has desired that I should read to your Lordships—

“My dear Lord Sudeley,—I am afraid that I shall not be able to get down to the House this afternoon in time to be present when you bring forward the case of Admiral Colomb. I should have been very glad to have said a word in support of Admiral Colomb's claims for his most valuable invention of flashing signals, for I have had great experience of their use during the long period that I have had command of squadrons in the Royal Navy. I may safely say that without these signals squadrons could not be handled as at present, and every modern invention, such as the electric light, &c., adds to the usefulness of the system instead of detracting in any way from the value of the original invention. Believe me, yours very truly,  
ALFRED.”

I ought, my Lords, to have mentioned that it is quite immaterial what light is used for the flash, though, of course, if the electric light is used the flash is very much stronger and brighter. I have also a letter from Sir Thomas Symonds, Admiral of the Fleet, upon the subject, and he writes in exactly the same way—

“Having had experience of Admiral Colomb's flashing signals twice in command of fleet, I have always found them answer most satisfactorily without a hitch. They are of the utmost possible importance towards the safety and convenience of a fleet. They turn night into day. Admiral Colomb has conferred upon the Navy an inestimable benefit, more particularly during war, by his most talented invention, and I consider him deserving of great reward. In fact, it would be difficult to find an adequate recompense. He has been shockingly treated; his promotion has been very slow, and though he makes our Navy safe by night and in fogs, he is most unhand-somely awarded only £500, while his brother officer in the Sister Service is awarded £25,000 for a range-finder. I cannot understand his having been so meanly treated.”

Then, my Lords, the noble Lord Alcester,

who has unfortunately been prevented by a severe accident from coming down to the House to-night as he intended to, most heartily supports this Motion. He has, however, written from his sick bed most strongly in favour of it. He says—

"There is no man now in existence who has done so much to improve the 'conducting' of Her Majesty's ships in safety as Admiral Colomb has done by his system of night signals. They have now been adopted by nearly every Maritime Power in the world, with modifications it is true, but the principle on which they are worked remains the same, and this during your service in the Royal Navy you must have been well aware of.

"His invention has rescued us from a slough of despond in which we had found ourselves from the days of Benbow, when the sole mode of communicating by signal by night was by means of lanterns, the lights of which could not be relied upon for remaining unextinguished in gales or rainy weather; whereas at the present day his system has been worked by aid of the electric light, when necessary, at distances at which the ancient signals could not have been discerned.

"And for this valuable invention all that Admiral Colomb has received is £500, and out of this he has had to pay £380 for maintaining the patent rights. Can anything be more miserable?"

My Lords, I will not weary you with many quotations, but I have here another letter from Admiral Sir Geoffrey Hornby. He has the reputation in the Navy of being one of the best of our Admirals in Fleet evolutions. He was two years at the Admiralty and is well up in the subject. He writes in very similar terms. After referring to his various commands he has had he states—

"In the year 1863 he was Flag Captain to the late Sir Sydney Dacres when that Officer was ordered to try Colomb's system of night signals"

—this was when Admiral Colomb had first, as he believed, made this satisfactory invention, and five years before it was finally adopted in the Service—

"and they enabled him to order any manœuvre and to make any communication to his ships by night as the same could be done by day."

Then he says—

"It gave the Queen's Navy greater proportional advantages when compared with the old system than electric telegraphy gave over a system of semaphores, because under the old system we were limited at night to some 104 signals, each conveying our order or piece of information, e.g., 'Tack,' 'Wear stern most,' 'Ships first,' 'Have struck soundings,' 'Standing into danger,' &c., &c. But by Colomb's system any sentence may be signalled and any word spelt.

*Lord Sudeley*

"In this view it has always appeared to me that it was a professional disgrace that an officer who gave such great advantages to our Service should not receive an adequate reward."

My Lords, I will read only one more letter. It is from Admiral Sir George Wellesley, who has also commanded our Fleets. He says—

"It is hardly possible to overrate its importance, or for anyone who has not had personal and practical experience of this invention to estimate its full value, or how much it has conduced to the safety and efficiency of Her Majesty's Fleet.

"We have with Colomb's signals the power not only of conveying instantaneously every signal in our books but also any other communication either to the Fleet in general or any group of or single ship with perfect accuracy and rapidity. And, in conclusion, I would state that it is no less a curious than a true fact that signalling has been rendered more easy and rapid by night than by day, and with much less liability to mistake."

I will not weary your Lordships with any other quotations. It is perfectly clear, from the testimony of these eminent Naval Officers, that this system has undoubted advantages, and now, my Lords, let us see what reward has been given to its inventor. It has been urged that the sum which was given in the year 1868 was given as a reward or recompense. My Lords, it was given, not as a recompense, but to cover expenses. Admiral Colomb's expenses were very great. He had to pay no less than £380 for patent fees alone, leaving only £120 to go towards other expenses. But, my Lords, that point is too trivial to discuss at all, and I hardly think it is necessary to consider it. The actual fact is that Admiral Colomb has succeeded in inventing a system which has enabled our fleets to conduct operations at night, and in fogs, without any loss or risk whatever, and in doing so he has done a great service which I think your Lordships will agree ought to be adequately rewarded. I have heard for many years that constant communications have been going on between the Admiralty and the Treasury; but they have been without any result whatever, and I hope, when I have concluded my Motion, that my noble Friend will admit that the letters and documents in this matter may with advantage be laid on the Table. For some time it has been urged, and I believe that several letters have passed to that effect, that when

Admiral Colomb perfected a land system of signalling for the Army, or for use in the Land Services, and when he received £500 for that, he thereby gave up all claim on the Treasury in respect of his invention for the Navy. But, my Lords, that was distinctly not the case. My noble Friend Lord Northbrook, who was at that time Under Secretary for War, has publicly stated that when the £500 was given Admiral Colomb made a distinct stipulation that he only accepted it as a reward for the small service he had done for signalling in the Army, and that it was on no ground whatever to be supposed that he was prevented from obtaining proper compensation for the invention used in the Navy. Therefore, I think, my Lords, we may at any rate drop that argument. But as several questions have arisen at different times as to whether Admiral Colomb had given up his right to compensation, he very wisely a short time ago placed all the documents and papers before a great legal authority, Sir Henry James, whose opinion was to this effect—"I think that Admiral Colomb did not, either in letter or spirit, accept the sums received by him in full satisfaction of all his claims, and that, therefore, Admiral Colomb is not precluded from pressing his claims for full and complete recompense for the services he has rendered to the country." I think, my Lords that disposes entirely of that matter. Last year a deputation waited on the First Lord of the Admiralty, and it was a very important deputation, consisting of six Members of your Lordships' House and six Members of the other House. The First Lord of the Admiralty then stated that he fully appreciated the value of this invention; that he sincerely hoped something might be done, and indeed that he thought the invention deserved a proper reward, and he would at once communicate to the Treasury, and he hoped the matter would soon be settled. Another year has passed and nothing has been done. This matter remains in the same state, a slur and disgrace upon the Navy. My Lords, I cannot believe for one moment that if this had occurred in the Sister Service—the Army—such service would have been allowed to remain unrewarded. I feel sure that long before this a reward of, say, £20,000 or £30,000 and a K.C.B. would

have been given to any officer in the Army who had made such an invention. In saying this I do not speak without book. Some short time ago an invention was made for use in the Sister Service which cannot really, I think, be compared with this so far as the importance of the invention and its great advantages to the Navy are concerned, though that invention will be of great use no doubt for the Land Service. I am speaking of the range-finder; and, in time of war, certainly the range-finder will be of enormous utility. But what did Major Watkin, the inventor, receive as a fitting reward for that invention? He received £25,000 and £1,000 for 10 years. These two inventions ought to be put on a par. They are practically of the same character. Then, my Lords, there have been other inventions paid for very largely. For instance, only two years ago the enormous sum of £110,000 was paid for the Brennan torpedo. One argument has been used in this matter which I should like to meet, and that is that the invention was made so long ago that all claim has really dropped by lapse of time, that as Admiral Colomb has allowed the matter to drift for 25 years he has no claim now. I think this argument can hardly stand good. In the first place, Admiral Colomb was, up to a very short time ago, on full pay, and his position in the Navy prevented him from pressing his claims. Until he became a retired officer he could not bring that pressure to bear which he is now inclined to do, and to bring his claims prominently forward. Surely, my Lords, this is a case in which we ought to act in a large and generous spirit. It would be right, in the true interests of the Navy that such a view should be taken. When dealing with a profession where you have such a splendid body of officers animated with the highest principles of honour, loyalty, and zeal, no feeling of ill-use or bitterness should be allowed to arise. No doubt the Treasury, as guardians of the public purse, are bound to see that no money is wasted, but, on the other hand, it must not be forgotten that the Navy stands in a very peculiar position. It is a Service in which great hardships and personal discomforts have to be undergone, and it deserves the utmost consideration. Naval officers have great

trials to bear. Our ships are at sea on foreign stations for many years, and our Naval officers are away from their homes for lengthened periods. The old system of pleasant cruizes in the days of sailing ships no longer exist. Constantly officers have to spend months and years cooped up in ships which are practically great masses of machinery and nothing else, and they have to spend weeks and months in harbour. I mention these things to show that there are great hardships to be borne in the Navy, and I think it would be a great pity if rewards were thought not to be properly bestowed. I maintain that, instead of being over-critical, the Government should rather go out of their way to see how far they could add to the popularity of the Navy, and to let the officers know that merit and zeal will be amply rewarded. Unfortunately, for several years past a very strong feeling has grown up in the Navy that, whilst in the Sister Service honours and rewards are looked after with the greatest care and attention, that is not the case to anything like the same extent in the Navy. I apprehend that is a matter deserving of the greatest care and consideration on the part of those in authority, lest the feeling should spread and produce serious discontent. I make this statement with considerable diffidence: I know I shall be told that it is wrong to mention it; but I am certain that that feeling exists in a far greater degree than the Admiralty themselves are at all aware of, and I am afraid that the manner in which Admiral Colomb's invention has been treated has created a feeling of bitterness of the extent of which few are aware. I will not trouble your Lordships any further. I will only say this, in conclusion: that here you have an instance of an invention which has been in the highest degree successful, an enormous saving to the country by preventing loss of vessels and a great boon to the Navy; you have an officer of high distinction, who has never had a single thing against him, absolutely unrewarded; you have every distinguished officer of the Navy of whom inquiry has been made strongly of opinion that the invention is of enormous benefit to the Navy. Every officer in the Navy, as far as I have ever heard, feels most acutely that gross injustice has been done, and that a slur and dis-

*Lord Sudeley*

grace has been cast upon his profession which ought to be removed. My Lords, I sincerely hope that my noble and gallant Friend who is about to answer this question on behalf of the Admiralty, and who of all men is well aware how strong this feeling is in the Navy, will be able to tell us that at last the Treasury have given way to the Admiralty, and that even at the eleventh hour they see their way to giving Admiral Colomb proper compensation, due meed of honour, and suitable reward, so that we may no longer have before us this great disgrace to the Service.

Moved,

"That there be laid before the House correspondence between the Treasury and the Admiralty relating to the claim of Admiral Colomb for reward as the inventor of flashing signals."  
—(*L. Sudeley*).

THE EARL OF CLANWILLIAM: My Lords, I regret very much the absence of Lord Alcester, whose opinion would have great weight with your Lordships, for he would have given us his own personal experience of the value of Admiral Colomb's flashing signals. I can only say from my own experience that I entirely concur in all that has fallen from my noble Friend. In former days, as he has described, the system of night signalling was by lanterns, which were hoisted up in various positions over or alongside each other. It took a considerable time to light the lanterns, and sometimes they were all blown out, and had to be taken down and lit again. Then, again, the light thrown by the lanterns could not be seen except in clear weather, and in fogs they were of no use whatever. But with this flashing system you can signal very much quicker at night to either a single ship or to a whole fleet than you can with flags in the daytime. I can only say, according to my experience in holding command, that without this system of flashing lights it would have been impossible to handle any fleet or squadron under steam, and I think, therefore, that the invention ought to be properly recognised.

\*THE EARL OF NORTHBROOK: After what has fallen from the noble Lord and from the noble and gallant Officer opposite, I should not for a moment trouble your Lordships with any opinion of mine even if I could offer one that had the slightest preten-

sion to authority upon this system of flashing signals, which is the subject of Admiral Colomb's invention. But as my name has been referred to in the matter, I will state the facts which have come under my cognizance. I simply wish to say that the answer which Admiral Colomb received to his application for a reward three years ago, namely, that having received previously a sum of £1,000 in two portions, he had accepted £500 of that in bar of any further claim, for a reward for the invention of flashing signals, was based upon an entire misapprehension of the facts of the case. I happened to hold the office of Under Secretary of State for War at the time, and I was the person who had to arrange with Admiral Colomb for payment to him of the sum of £500. That sum of £500 was paid to Admiral Colomb not on account of his general system of flashing signals for the Navy, but on account of the assistance he had given in the development of a joint system of signals for the Military and Naval Services combined. That sum was given him on the recommendation of two very distinguished officers, neither of whom is now alive, one of them being Admiral Sir Cooper Key. What I have to say is that if an answer was sent to Admiral Colomb basing the refusal of his claim on the ground that he had accepted that sum in bar of all future claims, it was not a correct answer, and it must have been sent under a misapprehension. Having gone through the whole of the papers connected with the case 20 years ago, and having had the advantage in going through them of the assistance of a most competent official at the War Office, I am quite satisfied that Admiral Colomb never intended to relinquish his claim to future reward when he gave his receipt for the £500.

\*THE EARL OF RAVENSWORTH: My Lords, I so fully concur in the views which have been so clearly put before your Lordships that I shall venture to offer very few remarks indeed. But having known Admiral Colomb, and having had a great deal to do with more than one association which takes an interest in these matters, I should be sorry to let this occasion pass without offering a few observations founded upon my own personal experience in testimony not only of the ability of

Admiral Colomb, but of his unwearied industry and his remarkable talent for clear exposition of difficult problems on matters of signalling and naval tactics. Last, but certainly not least, let me speak from my personal knowledge of his zeal in placing before the country at a time of threatened danger the absolute necessity of placing our shores in a state of defence. There was no worker more zealous and sincere in that great cause than Admiral Colomb. I received a letter yesterday from the distinguished Admiral who is now in command at Devonport (Sir W. M. Dowell), one short passage from which I will read to your Lordships—

"I have been in command of ships and squadrons for the last 18 years, and my opinion ought to be of some value. I consider these signals are invaluable."

—mark the word, my Lords, "invaluable."

"By them squadrons are conducted and manœuvred in safety both at night and in fogs."

Of their value in war, my Lords, we have not had experience, happily; and we can only imagine how great their value would be. I would appeal with the utmost confidence to every noble Lord who hears me, and would ask, is £120 an adequate compensation for an invention of such great utility to the Naval Service? Because that sum really is all the money which, so far, has gone into the pocket of the gallant Admiral. My noble Friend who has just spoken has cleared the ground of the suggestion that the £500 from the "War Office" was given on account of anything more than the invention for use in the two Services jointly, and that it was to be in bar of all future claims. It had no connection whatever with the compensation for the naval invention for which, as I said before, deducting the amount paid for "Patent Fees" only, the miserable sum of £120 has been paid to Admiral Colomb. Now, my Lords, let me say one word with reference to the action of the Treasury. In the House of Commons we were taught, and I hope that we have always retained the lessons we learnt there, that one of the first duties of Members of the Legislature was to support the Treasury, and protect it against aggressive inroads upon the



public purse. That is a principle upon which I should always like to act. But, my Lords, the Treasury, in resisting this appeal, appear to me to have acted either upon some misunderstanding or from an entire misconception of the facts of the case which have been so clearly and well put by my noble Friend opposite. The Treasury are not infallible. They are liable to act wrongly like other people; and as it appears they have not done justice in this matter, it is worthy of your Lordships' grave consideration, for there has been testimony read to your Lordships showing that in the Navy this is regarded, and I think properly regarded, as an injustice to the Service. It may be a wrong opinion that the Navy is unfairly treated as compared with the Sister Service, but that appears to be the opinion entertained by naval men; and if that is their opinion, we should endeavour to remove it. I do not base anything upon that fact beyond arguing that grave consideration should be given to this case. I think it is the duty of every Member of both Houses of Parliament to do his best to remove that feeling because it is destructive of all confidence; and it is more than that, because, by discouraging our officers in either Service from applying their natural gifts of observation, guided by the light of their own experience and their own intellectual powers, for the benefit of the Public Service, we may lose products of the greatest value. Here we have had utilised in the Public Service an invention which has been proved by 20 years' experience to be the very best system that has ever been attempted to be used in the Navy; and I say that by such discouragement you are doing that which will have a prejudicial effect upon the efforts of officers who are desirous of doing their best for the Service. I will not detain your Lordships longer, but I do trust that the answer we may receive from the Admiralty, which, as we all know, has already gone fully into this matter, will now be satisfactory. I quite expect to hear from my noble Friend who represents the Admiralty a fitting recognition of the service which Admiral Colomb has rendered to the Navy by the invention of these "flashing" signals. I must apologise to your Lordships for the length of these remarks, but I feel bound to stand by a man who has had no

*The Earl of Ravensworth*

adequate reward for conferring a great benefit upon the Naval Service.

\***LORD ELPHINSTONE:** My Lords, if success depended upon powerful advocacy, I think Admiral Colomb should have every reason to be satisfied with this evening's discussion. My noble and gallant Friend who introduced this matter has described the case of Admiral Colomb with perfect accuracy, with great fairness, and, I think, with great moderation. In bringing the matter forward he has quoted letters from several naval officers of high rank and position; men who have commanded Fleets at sea, who have manœuvred Fleets, and whose opinion is entitled to the greatest respect. He has received the support of the illustrious Duke who, as your Lordships know, has lately returned from command in the Mediterranean, and who, had he not been otherwise engaged, would have been here to-night to take part in the Debate and speak to the great value, as he considers, of this invention. My noble Friend has also been supported by numerous noble Lords in this House, all of whom have given consideration to the subject. All are agreed upon it. There is a consensus of opinion as to the value of this invention of Admiral Colomb, and I am not here to dispute that value; on the contrary, I fully admit it. We fully admit the value of that invention. We fully recognise the importance of this system of flashing signals in the Navy. No fleet or single ship is now sent to sea without them; and if we may test the value of an invention by the opinion entertained of it by foreigners, we have the very best testimony in this case, for I think I am right in saying that every foreign Naval Power has adopted this invention. By it we are able to send Fleets to sea and to manœuvre them at night, and in fogs, with the same safety and facility as we can in clear weather, or daylight. The system of Admiral Colomb was first officially tried in 1861, and it was finally adopted in the Service in 1868, when the inventor received a sum of £500 from the Admiralty. That sum, Admiral Colomb and my noble Friend maintain, was in no way intended as a reward for the invention, but that it was rather intended as a recompense for the loss of time he had incurred in perfecting the invention, and for loss of professional service. But the receipt

given by Admiral Colomb was worded as having been received—

"In full discharge of all claims for the services in question and attendant expenses."

When two years afterwards, in 1870, the gallant Admiral was employed by the War Office as has been described by the noble Lord opposite, in establishing a system of signal communication, not only for land service, but for joint Naval and Military use, he received for the service a further sum of £500, £250 of which was paid by the Admiralty, and £250 by the War Office. On that occasion the receipt given was—

"In final and absolute discharge of all claims upon Her Majesty's Government on account of signal arrangements for land service, and in respect of joint signals for naval and military use."

My Lords, in 1876 the claims of the gallant Admiral for further remuneration were brought by the Admiralty before the Treasury, and the Treasury declined to entertain the claims, on the ground that by the wording of the receipt given to the War Office and to the Admiralty in 1870, Admiral Colomb had himself barred the door to the payment of further remuneration. And the Treasury also felt that were they in the circumstances to allow this case to be re-opened, they would really be paving the way to demands for the reconsideration of other claims, and inviting other inventors, who might think their claims for inventions had received inadequate reward, to appeal to the Treasury for further remuneration. The Admiralty looked upon that decision of the Treasury as final, and there the matter rested. In 1887, as has been stated by the noble Lord himself, Admiral Colomb wrote to Lord Northbrook, then Under Secretary of State for War, and the noble Lord's reply in July, 1887,—pointed out, as he has already explained, that Admiral Colomb's position in regard to the naval signals was in no way affected by the payment of the second £500. Your Lordships will remember that he had had one £500 from the Admiralty and a second £500 from the Admiralty and War Office jointly. Though the noble Lord says that the position of Admiral Colomb as to the naval signals was in no way affected by the payment of the second £500, he declines very naturally

to express any opinion as to the claims against the Admiralty in respect of the first £500 paid for the flashing naval signals. That, my Lords, left that matter entirely open. The second payment of £500 was not in dispute. Admiral Colomb received that in full recompense; but the door was expressly left open for further claim to reward for the flashing signals for naval use. That is not disputed by anybody; but as the Treasury had based their refusal to entertain the claim for remuneration on the ground that he was debarred by the last receipt which he had given, from raising further claims against the Government, that being the very point upon which a contradiction was given by the noble Earl Lord Northbrook, the Admiralty felt bound to reopen the whole matter and to lay the case again before the Treasury. What the Admiralty have done is, they have written to the Treasury; they have recapitulated the whole matter, and have sent them copies of the letters, testimonials, and other documents which the noble Lords have referred to. Having done this they feel that they have done all that lay in their power to do. The matter now rests with the Treasury, and is now under their consideration. I see that by the notice my noble Friend moves for papers. As the correspondence between the Departments on the matter is not yet completed, and the documents referred to are now before the Treasury, I must decline for the present to produce any papers.

\***LORD SUDELEY**: Will my noble and gallant Friend inform the House how soon he thinks it would be possible to obtain an answer from the Treasury?

\***LORD ELPHINSTONE**: I am unable to say.

Motion (by leave of the House) withdrawn.

#### WIDENING OF PARLIAMENT STREET.

##### QUESTION—OBSERVATIONS.

**LORD NORTHBOURNE**: My Lords, I hold in my hand a Bill of apparently very small importance, and not of any length, and it is, I believe, in the nature of an ordinary Continuance Bill. It, however, relates to a matter which I think your Lordships will agree with me is of very considerable public importance, and one in which, I am sure, your Lord-

ships will take very great interest; I mean the widening of Parliament Street and of the approaches to your Lordships' House. When the Bill of which this Bill is in continuance was brought in, I believe the noble Marquess at the head of the Government insisted that that Bill should not pass without a large sum of money, £500,000, I believe, being subscribed by the shareholders in the company, and I think five years was the time which was allowed for that purpose. Three years of that time have already elapsed, and now we have a Continuance Bill, and I wish to ask the noble Lord whether he thinks that after the lapse of five years there will be any greater chance of the company being able to raise that sum, or whether at the end of seven years they will have a better chance than they had at the end of five; and also whether, if the money is not raised, or if there is not a fairly good prospect of its being raised, anything will be done. I would ask whether if the noble Lord sees that there is not any prospect of raising the money he is willing to allow this matter to go on—it being a matter of considerable importance, as affecting greatly the appearance of this city, and involving, in point of fact, a very considerable metropolitan improvement—without taking any steps in the matter. I should like, if I may be allowed to do so, to state in a very few words, for I will not trespass long upon your Lordships' time, why I think this Bill ought to meet, I will not say with rejection, but with the very strictest supervision from Her Majesty's Government. I am myself, to a certain extent, interested in the matter, though that interest is but a small one, and my friends and neighbours Messrs. Driver, through the Government Survey Office, have requested me to ascertain what the intention of the Government is with regard to the Bill which now stands for reading in the House of Commons at a rather suspiciously distant date, as late as the 5th July. Now, I am sure your Lordships will agree that it is not a desirable thing that private individuals should have their land taken from them by compulsory powers indefinitely. I should be the last person to throw any obstacle in the way of a public improvement; but I think we ought not to be, if I may say so, blown upon hot and cold in

*Lord Northbourne*

this matter, and that we ought not to have compulsory powers exercised over us for an indefinite time. My Lords, the difficulty on a former occasion was of a pressing kind. There was a great difficulty in securing money for this important public improvement, and the noble Marquess, being naturally anxious for the improvement to be carried out, gave those great powers to a private company. But that necessity, my Lords, no longer exists. We have in the County Council a body which has ample powers for raising money, and my opinion is that the County Council would be well able to undertake this work. Indeed, I understand that the matter has been before the County Council, and that the County Council were not unwilling to consider it; but they considered that as Parliament has given large powers to this company it would not be wise to interfere now in the matter. My Lords, the real and fatal objection I think to this Bill is, that we do not know what the character of this work is to be. When I say that, I do not mean to suggest that the Bill ought not to be passed, but to state what my great objection to it is. Here is a Bill for a great public improvement to be carried out, as sanctioned, by a private company; and I wish to know whether Her Majesty's Government, in regard to a great metropolitan improvement of this kind which may very fairly be compared to what has been done at Hyde Park Corner, with great advantage to the public, have taken care to have any plans laid before the House or before the country in order that we may judge of the character of the buildings along the approach to this magnificent structure. I should like to know from Her Majesty's Government what course they propose to take with regard to this Bill, and whether they are likely in the year 1890 to get any better satisfaction from the promoters of this private company than they did on a former occasion?

THE EARL OF MORLEY: My Lords, I do not know whether Her Majesty's Government propose to answer the question which the noble Lord has put at considerable length; but I would venture to suggest to the House that the question is one of the most irregular kind. The noble Lord has made a speech against a private Bill which has not yet appeared before your Lordships' House,

or even been read a second time in the House of Commons. The precedent is not a very convenient one in regard to private legislation if a noble Lord is to be allowed to make a strong speech against a private Bill which is not only not yet before your Lordships, but has not yet passed the House of Commons.

\***LORD HENNIKER**: My Lords, I am perfectly prepared to answer now the question which has been put; but I quite agree that it is not a question which ought to be put in this House. At present the Bill is before the House of Commons, and certainly any question upon it ought to be asked in the House of Commons. When the Bill comes up here I shall be prepared to answer the noble Lord any question he wishes to ask. Under those circumstances, I must respectfully say that I cannot answer the question.

**LORD NORTHBOURNE**: Under the circumstances, my Lords, I will at once withdraw the question; but my feeling was, as I hope the noble Marquess, whom we are all very glad to see in his place again, will also consider, that in this case the circumstances are of an exceptional character, because I believe it was always understood—"Order, order!"

#### SERVITUDES REDEMPTION (SCOTLAND) BILL.—(No. 16.)

##### SECOND READING.

Order of the Day for the Second Reading read.

\***THE MARQUESS OF HUNTLY**: My Lords, the Bill of which I move the Second Reading is the same Bill as I introduced into your Lordships' House at the end of last Session. At that time it was very favourably received on both sides of the House; but at the request of my noble Friend the Secretary for Scotland I withdrew the measure, with the view of letting it be considered in Scotland, and ascertaining the public opinion upon it in that country. I do not, therefore, think it necessary to go again into all the details of the measure, but rather to comment upon the opinions which appear to have been expressed with regard to it. From all I have learned upon the matter, opinion is distinctly favourable to legislation upon this vexed question. The first objection

that was raised, was that there is hardly any precedent in Parliament for dealing in this way with private rights; but there is a distinct precedent in Scotland itself, as the old Scotch Parliament in 1695 dealt with commonities, or common lands held by two or three proprietors jointly in an Act which goes exactly upon these lines. The apparent difference between the two cases of commonities and servitude rights is very small, and in practice there is really no difference at all, as in the case with which this Bill deals, there is a joint ownership, where one person is the owner of the land and others have rights of pasture, shooting, &c., over it. A commonity is a joint ownership in land; a servitude right is where one person holds the land, and there may be two, three, or four owners of servitudes for the different rights described in this Bill—forestry, shooting, pasturage, and other rights—over that land and over the right of its owner. My Lords, it seems to me that if a joint proprietor in a commonity can demand a division of the land, the owner of land burdened with a servitude right should be equally entitled to have a division with those who exercise jointly with him the right of using the land. I can see no difference between the two, or what reason there can be for the owner of a servitude right not being allowed to claim such a division of the right as one who has a claim to a part of the land can demand. In Scotland, where such lands have been held in common they have all been divided, and I think it would be very largely to the public advantage if this dual ownership which exists in regard to these servitude rights were done away with. I have heard it said also that some rights of the public would be interfered with by this Bill, but that is not so. The Bill does not propose to touch any public right whatever; it merely deals with the private rights of proprietors and those who have servitude rights over land. Then, again, I have been asked what interest has the public in a measure of this sort, and what precedent there is for dealing in a general Bill with these relations between owners of private property. There are precedents for such interference. For instance, Parliament interfered with the entails of land, and decided when entails

should cease. What greater instance of dealing with private interests could there be than that? I have mentioned the precedent of Parliament dealing with commonities in the Act of 1695, and there are a number of other precedents where private rights have been dealt with. For instance, an owner of real estate can compel his neighbour to join in building boundary fences, to deepen water courses in order to let water off his land, and to improve the drainage in connection with his property. But there is a much stronger case than any I have quoted in connection with dealing with private rights in the Old Roads and Bridges Act in Scotland, by which the Trustees who hold the roads have a right to go under any person's land and dig for materials for the maintenance of that road over the land, only paying where the land is enclosed, surface damage, and where it is unenclosed they deal with it as if it was their own property. I mention those as precedents to show that private interests have in other directions been touched by Act of Parliament. Now, as long as these joint or servitude rights remain the land is practically of little value to anybody. I have not the evidence of public opinion as represented by Petitions from Scotland in favour of this measure, but the reason of that is that the old bodies of Commissioners of Supply are defunct, and as the County Councils have not come into working order yet, they have been unable to report upon this matter; but as regards the opinion of those who own lands which are subject to these servitudes and to those who exercise rights over their ownership, I have received letters which are most favourable. With your Lordships' permission I will read one from a gentleman who has succeeded recently to his estate, Sir John Gladstone, of Fasque. He writes to me—

"I have been studying your Bill carefully, and it appears to me to cover all the ground required. There can be no doubt that power to get rid of servitudes will be a boon all round and would in many cases lead to the improvement of hundreds of thousands of acres, by dividing which under existing circumstances must remain in a state of nature for ever.—  
Yours sincerely,  
JOHN GLADSTONE."

Although some of the owners of rights over the solum which has the servitude

*The Marquess of Huntly*

over it may be willing, and I know one case where three out of four owners of these servitude rights are perfectly agreeable to allow them to be divided, yet one of the owners of the servitude rights, being an entailed proprietor, they cannot move in the matter. If you have dealt with entails in the way you have done by legislation, surely you can deal with a matter of such great public advantage as this, which is hindered from being carried out by the existence of the old entails. My Lords, I do not think there can be any real objection to this measure. There can be no doubt that the public will be largely the gainers by legislation of this kind. I would remind you that a large number of these rights are connected with hill grazings, and one great benefit of this measure will be the improvement of those grazings by draining so that the land will carry more sheep. If this measure is not carried it will still be to nobody's interest to improve those grazings, and practically those enormous grazing lands will remain of little value to anyone. I mentioned last year the several disadvantages under which proprietors labour from the existence of these servitude rights. I will not go into them again, but will only mention one instance of divoting which occurred in my own case. A neighbouring proprietor has the right of cutting turfs in a forest which belongs to me. Two of his tenants went to get the turf. They lit the heather to enable them to cut the turf easier, but the fire got the better of them, and the whole hillside was burnt. In that way the hillside grazing and the shooting also have been damaged for years to come, simply through the carelessness of a neighbouring proprietor. There is no remedy for this state of things except by doing away with these rights, as I propose. My Lords, it is objected that there is to be a summary process of going before the Sheriff. There was an extension of the Act of 1695 which enabled the parties concerned to go before the Sheriff with regard to commonities, and I have proceeded here entirely upon the lines of the legislation with regard to commonities. My noble Friend Lord Watson called attention last Session to the case of those feuars who may have become owners of rights by reason of having

made contracts with the superior owner, I own that there is a grievance in those cases, and I should be quite prepared to meet it by the insertion of a special clause providing that—

“This Act shall not apply to rights of pasturage or of common pasturage where the same are constituted by deed or written contract, except by the consent of the party having the right to the said servitude.”

My Lords, the only public expression of opinion I have seen against the Bill is a document which has been circulated among your Lordships by solicitors of the Supreme Court in Edinburgh, but the reasons given for objecting to the Bill are not very clear from that document. It appears not an unfair deduction that those gentlemen object to what is rather a fruitful source of litigation between owners in regard to these servitude rights being extinguished as the source which probably brings considerable grist to their mill. I regret the absence of the noble Duke, the Duke of Argyll, from ill-health. He intended to come down to-night to speak upon this matter, and he writes to me saying he is unfortunately prevented from attending the House. He goes on to say—

“I think all these servitudes are bad things; but they must be dealt with most cautiously, especially when they include rights of grazing belonging to poor people. I think that a matter of this kind should be dealt with by Government and not by private Members.”

I quite admit the force of that, and I think the noble Duke is right. Though I have brought forward this Bill, I wish to say that I do not in the least desire to press it forward as a private Member if the Government will give any assistance in the matter. I should much rather my noble Friend the Secretary of State for Scotland would undertake to deal with it, or else that the Government would allow the matter to be referred to a Committee. I can assure him that the measure is regarded as one of pressing importance to Scotland, and that it would be a very great boon to proprietors to have the question settled. I beg to move the Second Reading.

Moved, “That the Bill be read 2<sup>a</sup>.”

\***LORD WATSON:** My Lords, whilst not hostile to the object which the noble Marquess has in view, I have not been relieved of the difficulties which I expressed last year in regard to the method which

he has resorted to in order to accomplish his ends. The great obstacle in the way of this measure is that it is very difficult to define the subjects to which it is intended to apply. I do know a great many subjects which are comprehended in this Bill, to which its principles ought certainly (as I have had occasion to say before) not to apply. In the case of commonities, to which the noble Marquess has referred, I may explain that they constituted a species of property which had existed in Scotland from time immemorial. The property was well-known and earmarked, and when the Legislature dealt with it under that name; there could be no mistake whatever as to the subjects included in their legislation. But when I come to the Bill of my noble Friend, I find a very great difference. He desires to assimilate the subjects, which he intends to bring within the scope of the Bill, to commonities, and I can quite conceive that in the cases which he has specially described, such as that of large tracts of moorland in the North of Scotland, the resemblance of one kind of property to the other is very close indeed. But this Bill is not confined to subjects of the class which the noble Marquess described; and I find myself at a loss, without some definite information on the subject, to formulate a definition which will confine its application to property of that description. My Lords, as the Bill is drawn, there is not the most insignificant patch of land in Scotland over which the proprietor has given a servitude right of this kind that is not within the scope of the measure, and I venture to say, as far as my knowledge extends, there is not an estate to the south of the Forth to which any provision such as is made by this Bill ought to apply. It would break contracts on the faith of which persons have built houses and acquired property down to the time of the passing of the Bill. I do not think it was the intention of the noble Marquess to bring in all those cases. The measure is not confined to feuars merely. I venture also to say this: that having spoken of the south of the Forth, I believe that to the north of the same line there are comparatively few instances in which there ought to be any application of this

measure. I do not think that referring this Bill to the Law Committee would be of any use. They, perhaps, could say what ought to be the rights of the servitude owner and the proprietor *inter se*, if they knew the parties they were dealing with; but to pass the Bill as it stands would be to pass it in the dark, and to send it to a Committee as the noble Marquess suggests would be simply sending it to a body which has not the means of defining the subjects of the measure.

THE SECRETARY OF STATE FOR SCOTLAND (The Marquess of LOTHIAN): My Lords, I think, after the remarks which have fallen from my noble and learned Friend, it is scarcely necessary for me to say much in doing that which I regret being compelled to do, namely, state that I cannot, on behalf of the Government, accede to the measure which is proposed by the noble Marquess. The object of the Bill is to provide for the compulsory extinction of certain rights of servitude which have been enumerated by the noble Marquess, without any option whatever on the part of the owners of those rights to refuse or object to such extinction. The Bill gives power to extinguish such rights compulsorily, whether acquired by prescription or by deed; in other words, it gives power to set aside contracts against the wish of one of the parties interested. The noble Marquess has stated that this Bill is the same as that which he introduced last year, and that is no doubt the fact. He has also stated that at the time he introduced it last year, I appealed to him to withdraw it; but, at the same time, I asked him to elicit the views of the people in Scotland upon the subject, and as to whether they desired that such a measure should pass. The noble Marquess has now read one or two letters, the writers of which appear to desire that this measure should pass; but, on the other hand, I desire to say that I, as Secretary for Scotland, have not received one single request or communication on the subject from any part of Scotland. It cannot, therefore, think that there is any great desire that this measure should pass. I would venture to call attention to this fact that the noble Marquess, in stating that as far as he knows a certain amount of interest in the Bill has been manifested, has simply

*Lord Watson*

shown that the interest is on one side only; he has not shown that those who have rights of pasturage or rights of divot, which are, I think, the two most important rights, have any wish that their rights should be compulsorily taken away from them, or have any desire to alter the existing state of matters. Last year I pointed out that the Bill might operate very injuriously against those who possess rights of pasturage and turbary, and I adhere to that opinion still. I think it would be very injurious if power were given to the owner of the solum to take away those rights. But not only is there that difficulty; there is also this further objection: it seems to me that this Bill is purely one-sided. It gives to the proprietor of the solum by application to the Court of Session or to the Sheriff the right to demand or exact that the lands over which the rights of servitude exist should be divided on payment of compensation; but, on the other hand, it gives no right to the owners of the servitude or solum should they desire to make an exchange to enforce it. Therefore, while it seems to me that the Bill might, in certain cases, do considerable injustice to the owners of the servitudes, it does not, on the other hand, give a corresponding power to them to exact from the landlords an exchange such as might be desired by the landlords themselves. It appears to me also that such a power as this is, as a general rule, absolutely unnecessary. There are certainly to my knowledge cases which have arisen in reference to the power of purchase where there would be no reason whatever to interfere compulsorily with such rights as have arisen either by purchase or exchange; and the very object which the noble Marquess wishes to carry into effect might be attained without any further intervention of the law. It appears to me that there are means sufficient to meet the object which the noble Marquess has in view. With regard to the question of entails, that is a very complicated question; but I do not think that is a precedent which would justify the passing of such a measure as he proposes. The noble and learned Lord Watson has gone so fully into the legal aspect of the matter that I need not go further into it, but will merely say that I entirely concur in the

views he has expressed. On the two grounds that I have explained, namely, that the Bill appears to be purely one-sided, and that on the other hand inconvenience, if not loss, might be occasioned to the owners of servitudes I should ask your Lordships not to give a Second Reading to it. I may say, in conclusion, that I entirely concur with the expression of opinion in the letter of the Duke of Argyll that these servitude rights are inconvenient in themselves; but I do not, at the same time, think that sufficient ground has been shown for passing this measure. My Lords, I beg to move that the Bill be read a second time this day six months.

Amendment moved, to leave out the word "now," and add at the end of the Motion the words "this day six months." (The Lord Ker [*M. Lothian*].)

\*The MARQUESS of HUNTLY: I have no wish to press this matter further after what has taken place, but I should like to remind your Lordships that the Bill provides either that the owner of the servitude can take its value in money or that the Sheriff can allocate to him land. I quite admit that if the parties were all free they could agree if they chose among themselves; but the difficulty is that there are these entails existing which prevent proprietors dealing with each other; and as you have already dealt with them by enactment, I cannot see why you should be unable to deal with servitude rights. I will only add that I would appeal to the Government in this, which is a similar case, to take up the subject in a Bill of their own.

Amendment (by leave of the House) withdrawn: then the original Motion and Bill (by leave of the House) withdrawn.

#### FACTORS (SCOTLAND) BILL.—(No. 83.)

Order of the Day for the Second Reading, read, and discharged.

#### POSTAL AND TELEGRAPH REFORMS. QUESTION—OBSERVATIONS.

LORD LAMINGTON: My Lords, in asking Her Majesty's Government "whether they will consider the adoption of certain desirable reforms in the Postal and Telegraphic Departments of

this country; namely, Allowing the public to affix halfpenny stamps to cards for transmission by post, such cards conforming in all respects to Post Office Regulations; the stamping in plain figures the hour of collection as well as the date on letters; a reduction in the present high rate of portage for telegrams," I trust I shall not be considered venturesome on this my first occasion of addressing your Lordships' House, but I do so relying entirely on your forbearance. I felt some hesitation in putting this question of apparently trivial importance on the Paper; but my excuse is that it is a matter of public concern, and was so considered when I had the honour of a seat in another place. I was also further encouraged by the success which attended certain endeavours of Mr. Henniker Heaton to obtain a substantial reduction in our Indian and Colonial Postage system. The first question I ask is relative to the public being themselves allowed to affix adhesive halfpenny stamps upon any ordinary cards. It is evident that there are the same reasons of convenience in their being allowed to do so as there is in the case of ordinary letters. It would be a great convenience as compared either with having always to obtain the stamped cards or to send them to the Post Office to be stamped. I was told that there would be considerable friction between the Postal Department and the public who availed themselves of such a system; and the Postmaster General said the public would be unwilling to abide by the regulations which would have to be made with regard to the size, weight, and shape of the cards to be used. I cannot see that there would be likely to be any greater friction in that case than in the case of overweight letters, and the remedy would be the same as in that case, namely, that the addressee or receiver of the card would have to pay double postal rate. But that is not the only point. I have in my hand certain cards which have been allowed to have adhesive halfpenny stamps placed upon them when the Postmaster has been satisfied that the matter written on the different postcards is identical, as in the case of circulars. The only difference, therefore, would be that the Postal Authorities, instead of having the trouble of reading the matter upon the cards,



would merely have to see that the cards conformed to the regulations as to size and so on. If you send half a dozen cards with the matter identical on each, the Postal Authorities will receive the cards with an ordinary adhesive stamp. And not only so, but all the ordinary regulations concerning size and weight are dropped, apparently, for it is possible to send an invitation card to a City banquet for a  $\frac{1}{2}$ d.; so that all regulations as to size are apparently dropped as long as the Postal Authorities know that the cards are practically circulars. It seems an absolute anomaly that in the one case the public are not allowed to use adhesive stamps if it is desired to write a message on an ordinary card; but that, in the other case, if cards are sent out as circulars, the public may affix their own stamps. Then another point upon which objection is made to this system is that of cost. At the present time the Post Office has to pay £283 per 1,000,000 cards to Messrs. De la Rue, and as they use about 200,000,000 a year, that represents a sum of nearly £60,000 a year. In addition to that, there is a great difference also in regard to the cost of distribution and making up into packets, which is also large; whereas to issue 1,000,000  $\frac{1}{2}$ d. stamps only costs the Post Office £16 7s. 6d., as compared with this sum of £283 which they have to pay for the cards. I am aware that the Post Office claim to make good the loss they sustain in the amount spent upon these cards by the charge which they make of  $\frac{1}{2}$ d. in the place of  $\frac{1}{2}$ d. per single card. But my contention is, that if there be any loss upon this postal card system, the public are willing, to a great extent, to take upon themselves to supply their own cards. If, on the other hand, the Post Office are making a profit on the sale of these cards, they are not entitled to do so. I do not think there is any Act of Parliament entitling the Post Office to carry on a profit-making Stationery Department. All I wish to say is that as long as we have the postcard system the public are entitled to have it carried on as economically and as conveniently as possible, and in both Belgium and Germany they have this system. The next point to which I desire to call attention is stamping the hour of collection upon

*Lord Lamington*

letters. All correspondence in addition to having the name of the post office and date stamped upon them should also show the hour of collection. This applies more particularly to the Metropolis, where it would afford a very urgently required check. There are continual complaints made of the irregularities of the postal system, and no dependence can be placed upon the time when a letter posted in one district will be delivered at another part of the Metropolis. Other countries have adopted such a system, and I have here papers showing that in America, Australia, and Canada, they have adopted the plan of stamping the hour of collection as well as the date, and that by that means they ensure much greater regularity in regard to the despatch and delivery of letters, in consequence of the great check thereby afforded upon the post offices. My last question is with regard to the charges for portage of telegrams. This applies, of course, to rural districts. When the sixpenny telegram system was introduced it was intended to be for the good of the whole community, but practically rural districts do not share in that benefit. Though the telegraph system was, of course, established for the benefit of the whole country, rural districts are left out in the cold entirely in regard to offices and messengers with which urban districts are plentifully supplied. That has the effect of preventing persons who live more than a mile from a post office enjoying the great boon of the sixpenny telegram. One great obstacle is that the public cannot get a post office established without a very large guarantee being provided; and this difficulty would be met if the Post Office Authorities would consent to a reduction of the guarantee upon the establishment of new postal telegraph offices. They did so last year in regard to establishing telegraph offices at fishing stations in Scotland, and I think they might extend the system in that way to a much greater degree throughout the country. I do not propose the abolition of all portage fees, but I think the scale of charges might be altered. Any surplus arising from year to year should, I think, be devoted to lessening the amounts paid for portage. At present, the whole country does not enjoy the benefit of the lowered telegraph tariff as long as heavy

portage charges are imposed which are practically prohibitive to the poorer people who may have to pay what is, perhaps, the very considerable sum of 1s. or 1s. 6d. for a telegram. My Lords, those are the three points which I wish to bring before the notice of Her Majesty's Government. I know that the noble Lord, who will answer me, is not in direct connection with the Post Office, and, therefore, I cannot expect from him a very copious answer; but I trust he will make the necessary representations to the Post Office, and endeavour to induce them to undertake some reform in the directions I have pointed out.

**THE EARL OF MEATH:** My Lords, there is a fourth reform which would be very desirable, though it has not been mentioned by the noble Lord, upon which I should like to say a few words, and that is the *carte-lettre* which, in France, I have found of the greatest possible value. By means of that contrivance, the contents of a post card can be kept private, and the system saves a great deal of trouble, there being no envelope and no necessity of folding the letter.

**\*THE EARL OF JERSEY:** My Lords, I am sure your Lordships will welcome the participation of the noble Lord in the discussions of this House, but I am afraid that my answer will not meet all his wishes. With regard to the first point I have to reply that the question of sending private cards with adhesive stamps through the post is at the present moment under the consideration of the Postmaster General. In reference to the second proposition that the hours of collection should be stamped upon letters, as well as the date, I have to point out that letters which have been posted have sometimes to be collected from a great distance before they can reach the office from which they are taken away, and where they are stamped; so that under no system would it be possible to do more than give approximately the time of collection, and I do not think there would be much advantage to be derived from that being done. I am informed by the Post Office Authorities that it would be impossible to enable the public to trace their correspondence without reference to the Department, which has already a sufficient check upon their officers. Therefore, the

Postmaster General does not think that any public advantage would be gained by adopting my noble Friend's second proposition. As regards the question of portage for telegrams, I may say that the charge is only 6d. up to two miles distance from the delivery office, and 6d. per mile beyond. That is to say, a telegram will be delivered within three miles for 1s. Above that distance the charge is 1s. a mile for a messenger on horseback. The Postmaster General does not think that is too high a rate, and he can hold out no hope of any reductions in that direction. But I am authorised to state that wherever telegrams can be carried at a lower rate than I have mentioned, the public get the benefit of that lower rate; and also that, owing to the increased number of telegraph offices in the country, the delivery distances are gradually growing less and the charges accordingly reduced. During the last five years about 1,245 new telegraph stations have been opened. Of course, they have not all been in country districts; some of them are in the towns, but the Postmaster General is always anxious to give every facility for the opening of new telegraph offices, and the arrangements have been altered as to guarantees subscribed for by the public in districts to meet any deficiency which may arise in the Revenue. Those guarantees are now not asked for until the close of the year, and not, as formerly, required to be paid at the commencement. With regard to the fourth question, I am afraid I am not in a position to answer it, but I will communicate it to the Postmaster General.

#### PORTUGAL AND EAST AFRICA.

##### QUESTION—OBSERVATIONS.

**THE EARL OF HARROWBY,** in rising to ask the Secretary of State for Foreign Affairs whether a settlement has now been arrived at with Portugal as to affairs in East Africa; and, if so, whether he can lay Papers upon the Table showing the boundaries of the territories which will be hereafter within the respective spheres of influence of Great Britain and Portugal, said: My Lords, before I ask the Prime Minister the question which I have put down on the Notice Paper, perhaps your Lordships will allow me to make a few

remarks upon this very important subject of our relations with Portugal in East-Central Africa, and I do so because I desire it to be known elsewhere that great anxiety prevails in cultivated English society that a settlement should be arrived at. This question has aroused immense interest; as, upon the settlement of it, which we hope may be effected, may rest the future destiny of East-Central Africa. As far as Portugal is concerned, regarding the events of last winter, I imagine that every Englishman felt great regret that there should have been even a passing disagreement with an old and tried ally, and that our desire was to keep on the best relations with a country with which we have had historical relations in the past; but I think no one can help being struck with the unanimity of opinion among all parties in the country upon the course which was taken by the Prime Minister with regard to Portugal upon the question of her procedure in East Africa. I seldom remember any such unanimous expression of opinion; and I go further, and say that there has seldom been an instance in which the general opinion of all the great countries in Europe has been more decidedly in favour of the policy adopted by Her Majesty's Government. That, I think, is one of the most gratifying circumstances that has occurred for a long period. But, above all, the great issue at stake in this matter is the future of the vast tracts lying along the great waterways of East-Central Africa. I trust nobody outside will mistake the feeling of England in this matter. I suppose no feeling has ever grown up more rapidly than that with regard to the position of affairs in this part of Africa, within the last few years. I do not exaggerate when I say that the importance of our interest there has been canvassed in every cultivated centre throughout the United Kingdom. It is a very great interest that is at stake now—whether British trade and commerce, as well as British influences, are to have free course and access from the South to the North of Africa. There are other nations, too, who are interested in this matter, looking with the greatest anxiety to see how the negotiations with Germany are to end in reference to this large subject. We have a right to be deeply interested

*The Earl of Harrowby*

in this question of the future of this vast tract of Africa, for it was discovered and explored by our devoted fellow-countrymen, who first reached those great lakes, Victoria-Nyanza, Nyassa, and Tanganyika, that great chain of communication which must, at some future date, be the highway of Central Africa. Beyond that, when we think of the noble lives which have been lost in those tropical regions, the Christian devotion to duty which has been shown by our fellow-countrymen, Englishmen and Scotchmen—and especially Scotchmen—we have every reason to feel the deepest interest in the future of that country. If discovery and the introduction of commerce and trade into a country can give any such right, then England has that right. My Lords, it is impossible for us to shut our eyes to the fact that other nations have been trying in various ways to sever our communications between British South Africa and the great countries bordering on the Mediterranean. Your Lordships may remember that there were treaties made by France and Germany with Portugal; and we went out of our way, as it seems to me, to say that Portugal was free to send her traders from ocean to ocean, from Angola to Mozambique. I have always thought that it was rather dubious policy to show friendliness by putting a statement of that kind into a diplomatic document, when it was evident that British interests had a prior claim. I think it was a very big venture for a little country to make, first claiming those enormous powers, and then asking us to give a sort of consent to those claims. My Lords, you will hardly imagine that I overlook the fact that that was done in order to allow Portugal to, as it was called, “extend her civilising influence” over a territory 2,000 miles in extent, from Angola to Mozambique. That, I think, was a very large bid for Portugal to make. With regard to the great district from east to west which, up to within a few years ago, I will call “no man's land,” if there were any real rights of Portugal which would prevent our claiming advantage there, everybody would feel, however disagreeable it might be, that we must give way; but in the very interesting Blue Book presented to the House on this matter, my noble Friend the Prime Minister has defined

very clearly what the rights of Portugal in this district are. He says, with regard to this claim to an extent of country 2,000 miles across, there is no claim whatever on the part of Portugal; that there is no claim whatever on the part of Portugal in all that district, except as to the sea coast and portions of the Zambesi river. Then, with regard to Lake Nyassa and Shiré, he says that no part of either was ever occupied by Portugal, nor any place beyond the confluence of the Zambesi and Shiré. As to the Upper Zambesi, there was a recognition of the occupation of two places, Tété and Zumbo, but of no other place or district on the river. So that we may consider that the whole of that district, except those points, is entirely open to Great Britain. As far as Tété goes, that is the case; but, except there, I do not think we need trouble ourselves very much about any preceding right. There are on the one side Sofala and Mozambique, on the other Angola and those places on the Upper Zambesi. I think that anyone rising from the study of that Blue Book must feel that the Prime Minister has been most long-suffering, indulgent, and patient in all his dealings with Portugal in this matter. He gave her ample time to escape from a difficult position, and I think it is a most remarkable case of the avoidance of any tone calculated to produce irritation, and of endeavours being made in every possible way to avoid hurting, in the slightest degree, the *amour propre* of an old ally. I should like to substantiate that statement for a few moments, if I am not detaining your Lordships too long at this hour of the night; but my excuse is that this is an important subject, and one of great interest to many. In the first place, I would remind the House of what Portugal was about during those three years after the Treaty with France and Germany was made as to this great tract of 2,000 miles. The moment the maps were published and the Portuguese Government claimed this territory the Prime Minister entered a protest at once, and declared that England would recognise in no way whatever such a vast and shadowy claim. That protest was the beginning of what may be called this special transaction. Then how did Portugal act? Knowing that Great Britain declined to accept her claims in any way to these vast territories, the

first thing that happened almost immediately afterwards was that Portugal virtually closed the Zambesi (the navigation of which had been free for the last 10 years) owing to the imposition of very high duties. One of our steamers which had plied there for years was seized, and it was intimated that thereafter all vessels on the Zambesi would have to sail under the Portuguese flag. At that time England had announced a protectorate over Matabeleland. Portugal immediately put in a claim there without, as was proved to her beyond all doubt, a shadow of legal right. The officers of the British South African Company and the missionaries on the Nyassa were in a terrible position. The struggle going on there with the Arab slave traders was a fearful one, and gave rise to one of the most heroic defences recorded in our annals—three men defending themselves against a horde of the fiercest Arab traders. Portugal at once took the opportunity to stop the supply of ammunition to beleaguered English subjects until she was pressed by the English Government. The Portuguese haggled for six weeks, and it was with infinite difficulty that at last those men were allowed to have the ammunition to save their lives. Later on the peril became greater, and though every sort of diplomatic communication took place, it took something like three months to get ammunition and guns passed up to those men beleaguered by the Arabs. Then, just at the time when the question of the settlement of the boundaries between the two countries was about to be discussed amicably, it was rumoured that Portugal was going to send an armed expedition into the country which England had declared to be within the sphere of our influence and under our protection—to the Nyassa settlements. However, that seemed to wait for a time, and our Minister at Lisbon opened formal communications with the Minister there as to the adjustment with Portugal of our claims, and as to the intercolonial relations of the two countries. The communications were most conciliatory, and our Minister had long interviews with the Portuguese Foreign Secretary at Lisbon; but in the middle of these supposed friendly negotiations news came that 1,200 armed men had been sent off quite secretly from Quillimane to the

very district in which the English missionary and commercial settlements were, which the Prime Minister had stated he could not allow to be approached by Portugal. The Portuguese Minister declined to say where they were going, or what they were going to do, and our Minister refused to continue the negotiations for demarcation, as, he said, they had become a farce. Then in January of the next year, 1889, the position of our fellow-citizens on the lakes was still one of great peril, and a mitrailleuse was much needed, but the transport of weapons were again stopped for a time, and it was only after very serious remonstrances that means of defence were allowed to go on. Then again, notwithstanding the proclamation of British Sovereignty or Protectorate in Mashonaland, news came of inroads by the Portuguese into territory which had been formally declared to be under British protection, and cannon were supplied to the hostile Arab slavers in the disturbed district at a time when they were doing all they could to annihilate our heroic men. It might almost have been supposed that we were at war with Portugal from all those signs of ill-will. The next thing was the arrest and imprisonment of the English Vice Consul at Quillimane, I think, upon some excuse or other, but apparently simply because he asked leave to have arms passed up. It was alleged that he was distributing weapons to the danger of the Portuguese, whereas he was only trying to send up arms to our fellow-countrymen. Then a short time afterwards we find that 1,000 guns and 12,000 lb. of powder were passed up from Quillimane, contrary to the blockade; and then came the more serious advance of Serpa Pinto into the country of the Makololo, over which a British Protectorate had been announced, with something like 6,000 men, a number of guns, and two steamers. Then we find Serpa Pinto doing everything he can to excite a hostile feeling among our faithful allies, the Makololo; he provokes a struggle with them, loss of life ensues, and notwithstanding the most serious warning he remains with his armed band in the country which is under British protection. Next a demand is made that all British subjects must obtain pass-ports, creating a fresh check to all communica-

*The Earl of Harrowby*

tion between the English commercial and missionary settlements. Shortly after that two Englishmen, Messrs. Colquhoun and Wilkinson, were imprisoned at one of the Portuguese stations, and were only released after the earnest remonstrances of the Prime Minister. Then two British flags were taken from friendly natives and insulted, and an English steamer was stopped and compelled to haul down the British ensign. Then our allies, the Makololo, are attacked again, and at this moment a new Portuguese district is announced as having been formed at Zumbo, one of the places which I have mentioned on the Zambesi, and they have included in that a vast territory which the Prime Minister has declared to be under the sphere of British influence and not under that of Portugal. My Lords, surely you will agree that that is a terrible list of unfriendly acts for a State to commit against its ancient ally. Considering the constant endeavour on the part of Portugal to do what was unfriendly towards England and hostile to English interests, the patience and long-suffering the Prime Minister showed were marvellous, and I think that everybody will admit that my noble Friend could not have waited a day longer before taking action. I venture to press this matter rather strongly on the House, lest the Prime Minister may show an over-tenderness towards Portugal in the final settlement of the matter. There naturally is a chivalrous desire not to diminish the power of an old ally who is not exactly in the same position amongst nations as ourselves; but, after all, is Portugal so badly off for colonies? She already has enormous possessions. Look at her territory extending from the Zambesi, 1,200 miles from side to side. Is it to be supposed that she will become a more prosperous or powerful nation by the addition of these districts in the interior? It is very dubious even from her own point of view. After all, you must look a little at what the antecedents of Portugal has been in colonial matters. We are justified in considering this question, not merely from a British point of view. We have an enormous responsibility towards the native races, and recognising that responsibility we must have regard to the antecedents of Portugal. She has been in possession of these great colonies for several hundred

years, and what has been her treatment of the natives? I do not wish to say anything that may seem unfriendly of her; but, in truth, a great deal of the misery of that country has been caused by the Portuguese Government flooding her colonies with convicts unreclaimed, and of the worst kind. They have been scattered broadcast all along that coast, and the result has been the creation of a half-caste population which is the scourge of those districts. Then as to her encouragement of slavery, you have the evidence of Livingstone only 30 years ago, that unfortunately every Governor he had met was engaged in the Slave Trade, up to the Governors General themselves. That was what he said at that time, and towards the end he became even more melancholy on the subject, and said that he had given up all hope of Portugal being of any use to the African races. I wish to give her all credit for wishing to throw off slavery; but when the whole Portuguese population has been imbued with the spirit of slave trading, it is unwise to expect that they will turn round and become civilising agents among the native races, or do them any good. Considering Portugal's antecedents, I doubt greatly whether we should hand over to her more territory than is her right. What progress has she made? Her colonies are the most backward of all the settlements, and I cannot see any sign of impending change. We see by this expedition of Serpa Pinto that when the Portuguese get among the native tribes they are received with eagerness, because the natives can get arms and drink from them free which the English judiciously refuse to let them have. I think that people who thus give arms and drink to the natives are not people to be trusted with enormous territories to which they have no claim. Only recently I find that a certain Ferreio, one of the most brutal of the race I have just now referred to, a man notorious for his cruelty and vices, has been sent to govern a district close to the Makololo territory. It seems as if there was a want of those civilising qualities which would fit them for the great task which they aspire to undertake. Now, my Lords, when we compare the course taken by the Portuguese in Africa with

the instructions which Lord Clarendon gave to Livingstone when he sent him out there, telling him how he was to avoid anything like unkindness to the natives, how his whole strength was to be given to raising them in the scale, both from the religious and the social point of view, and to avoid exciting anything like contests or ill-will; when we compare the conduct of the Portuguese with the work of our Church Missions, University Missions, and Scotch Missions, our Buchanans and our African Companies, can we for one moment doubt on which side the happiness of the native races would rest? Every inquiry shows that they desire to become subject to England if to anyone. We sometimes confuse the Arab slave traders with the native populations, although they are quite different, and no doubt those Arabs are no friends of ours; but every testimony shows that the native races are decidedly in favour of being subject to England rather than to Portugal. I would ask your Lordships has this country any right before God or man, either from regard for old associations or for the susceptibilities of European nations, to make agreements by which these vast territories would be intrusted to a Power which, I venture to say, even though it has good intentions, is unfit, as compared with ourselves, to carry forward a great civilising and Christianising Mission in Africa? I thank your Lordships for listening to me so long, and I now beg to ask the question of which I have given notice.

**\*THE MARQUESS OF SALISBURY :**

My noble Friend has made a most interesting speech on a subject with which he is well acquainted, and in regard to which long study and deep feeling singularly fit him to speak with authority to your Lordships' House. There is little or nothing in his speech to which I can take exception, and I wish it were in my power to imitate my noble Friend in the fulness of his treatment of the subject or the frankness of his expressions. More than, perhaps, on any previous occasion do I regret that the institutions of this country do not afford an opportunity to those who represent the foreign policy of Her Majesty's Govern-

ment of speaking to the legislative power of the country without at the same time taking into their confidence all other persons in the world. I should be very glad if it were in my power to speak frankly to a Committee on Foreign Relations sitting in secret session, for I feel that I could make a very long speech if I had that opportunity. There is a great deal I should like to say, but your Lordships will sympathise with me if I observe only very modest proportions in the extent of my observations to you to-night. We are in the midst of negotiations—negotiations not only with Portugal, but with other countries—and, of course, any observations which I might make upon this question from almost any point of view could not be without their effect upon the progress of those negotiations. I think, therefore, that I shall best perform my duty and fulfil the wishes of my noble Friend—whilst expressing the deepest sympathy with the feelings to which he has given utterance—if I say that our discussions with Portugal are still going on; that we still decline to recognise as adequate foundation for territorial claim distant historical traditions; that, on the other hand, we have no wish to oppose any obstacle to the exercise on the part of Portugal of the right which we desire to exercise ourselves, namely, to find a fit opening for the energies of our population and the progress of our trade, and still less any obstacle to the development of those philanthropic feelings and the fulfilment of those high duties to which my noble Friend has so eloquently called attention. How soon the negotiations will come to a conclusion it is not in my power to say. I recognise the desirability of early progress; but I also recognise, as your Lordships will also do, the un wisdom of sacrificing any substantial end to mere rapidity of conclusion. There is only one point upon which I wish to speak with somewhat more openness than I have done with regard to this question. My noble Friend made allusion to the Zambesi and the Shiré; and to the action of Portugal in stopping vessels upon that highway. That, I wish to say, is not a matter of negotiation; it is not a matter upon which we will negotiate at all. We consider these rivers to be International highways. We ask that

*The Marquess of Salisbury*

they shall be open, not to ourselves only, but to everybody else; and if anybody hinders the freedom of traffic along those highways, the responsibility must rest with those who do so, and I wish to say that because it must not be supposed that is any part of the negotiations we are carrying on. As to the territorial question, it is one of exceeding difficulty. Feeling is running high in this country just at this moment in one particular direction. I am not sure whether that feeling is always restrained within the limits of wisdom and discretion. I am not sure that people always remember that dominion is not an unmitigated luxury, but that it carries with it duties, burdens, obligations, dangers. My noble Friend eloquently pointed out the want of wisdom of the rulers of Portugal when they wished to stretch their territory from the shore of the Atlantic to the shore of the Indian Ocean, and asked whether that was indeed a measure which would increase the strength or the happiness of Portugal. I would ask my noble Friend, when he is giving his support to what I may call the idea of Cairo to Cape Town, whether some such criticism might not be passed with respect to a Kingdom much more powerful than Portugal, but which yet has a limit to its power. "*Mutato nomine de te fabula narratur.*" In conclusion, I have to say that I hope we shall exact that which is the right of this country, and that which is for its honour and its strength, but I hope we shall not be seduced into undertaking obligations which are beyond our strength to perform consistently with the other duties which we have both at home and in every quarter of the globe.

#### OPEN SPACES BILL.—(No. 76.)

Read 3<sup>a</sup> (according to order), and passed, and sent to the Commons.

House adjourned at a quarter before Seven o'clock, to Monday next, a quarter before Eleven o'clock.

## HOUSE OF COMMONS,

Friday, 16th May, 1890.

The House met at Two of the clock.

## QUESTIONS.

## IRELAND—CLERKS OF WORKS.

DR. TANNER (Cork Co., Mid.): I beg to ask the Secretary to the Treasury if it is correct that clerks of works in Ireland are dismissed at the finishing of any contract upon the construction of which they have been employed; and whether their rate of payment is upon the same scale as the corresponding classes in the employment of the English Office of Works, and, if not, by how much, and in what manner is the difference made; and whether it is the intention of the Board to make the same rate of payment to the Irish and English clerks?

\*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I am informed that the practices both in England and Ireland is uniform, and that the engagement of a clerk of the works is a matter of contract. The rate of pay varies according to the importance of the work.

DR. TANNER: Is it not the fact that clerks of works are much better paid in England than Ireland?

\*MR. JACKSON: I can only say that it depends upon the importance of the work. There are varying rates both in England and Ireland.

DR. TANNER: What is the standard?

\*MR. JACKSON: I cannot say that there is any standard. It depends on the class of work, unless a contract has been entered into.

DR. TANNER: The salaries of English clerks of works as set forth in the Estimates are higher than in Ireland, and Irish men come over here to improve their position.

\*MR. JACKSON: The emigration from Ireland to England in such cases is, I believe, an usual process.

DR. TANNER: Yes; in consequence of the coercion which exists in Ireland.

## CORK TOWN COUNCIL.

MR. FLYNN (Cork, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Cork Town Council have declined to pay the amount applied for by the Board of Governors of the Cork District Lunatic Asylum, on the ground that their body and the citizens have no direct representation on the Asylum Board; whether he can state what representation on that Board is the Cork Corporation entitled to; and why such representation is denied to the Municipal Authorities in Cork?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The facts are as stated in the first paragraph. Under the recent scheme adopted by the Irish Government, with a view to giving direct representation on District Lunatic Asylum Boards to the several presenting bodies, four representatives were to be chosen by the Lord Lieutenant from nominees of the Cork Corporation. The Corporation, however, nominated for the four places four of their members only, which would remove from the Lord Lieutenant the power of exercising his statutory responsibility for the selection of Governors. This was pointed out to the Corporation, but they declined to send forward any additional names. The Lord Lieutenant then felt obliged to select from the general body of the Corporation four of its members to serve as its representative on the Asylum Board.

MR. SEXTON (Belfast, W.): In a precisely analogous case in Dublin were not the Corporation allowed to nominate 10 members? Why should there be one rule for Dublin and another for Cork?

MR. A. J. BALFOUR: There is not one rule for Dublin and another for Cork. No additional names have been submitted.

## THE SKINNERS' COMPANY.

MR. PINKERTON (Galway): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that the Skinners' Company have sold three-fourths of their property in County Londonderry to their tenants, and have now limited the time when their offer to sell will be withdrawn, owing to the fact that a Syndicate, composed of mem-



bers of the Skinners' Company and others, have offered to purchase the remainder of the estate as a speculation, and that the Company have agreed to accept 15 years' purchase, while the price they demanded from their tenants was 19 years; if many of the tenants, who have not yet purchased, are precluded from doing so owing to arrears; and if he would consider the advisability of inserting a clause in the Land Purchase (Ireland) Bill, giving the tenants the right of pre-emption.

MR. A. J. BALFOUR: The Land Commissioners report that applications for purchase in respect of 671 tenants on the Skinners' Company's Estate have been lodged with the Commission. In 58 of these cases the advances applied for have been refused, and 48 are still pending. The records of the Commission do not afford any information as to the extent or value of the residue of the estate, nor have they any information as to the Syndicate referred to.

#### DOCKYARD LABOURERS.

COLONEL HUGHES (Woolwich): I beg to ask the First Lord of the Admiralty whether he can state the number of labourers employed at 15s. a week, 16s., 17s., 18s., 19s., 20s., and above 20s., respectively, in each of Her Majesty's Dockyards in England?

\*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The total number of labourers employed in Her Majesty's Dockyards in England at the rates of pay mentioned in the question is 6,454. Of this number 1,037 receive 15s. a week; 517, 16s.; 1,527, 17s.; 881, 18s.; 335, 19s.; 956, 20s.; and 1,201 above 20s. In addition to the men employed at these particular rates, 101 labourers are paid 16s. 6d., and 144, 19s. 6d. a week. When any of these men are employed on task work they get extra money, from 10 to 40 per cent., in addition.

#### FOREIGN WORKMEN.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the President of the Board of Trade if, having regard to the Report of the Sweating Committee, that

"Certain trades are affected by the presence of poor Foreigners, for the most part Russian and Polish Jews,"

*Mr. Pinkerton*

he has taken steps for the enforcement of the Alien Act on the routes of their arrival, as recommended by the Select Committee on the Immigration of Foreigners?

\*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I would remind my hon. Friend that the Report of the House of Lords' Sweating Committee only says that certain trades are to some extent affected by foreign immigration, while it speaks well of the immigrants in some respects, and does not make any suggestion to prevent immigration. I may say, however, that some time ago, before the issue of this Report, the necessary steps were taken, under powers given by the Alien Act and in other ways, to procure statistical information with regard to the immigration of foreigners as regards vessels arriving from European ports at the principal ports of the United Kingdom. This was done in pursuance of the recommendations of the Committee on the Immigration of Foreigners. The information is now coming in regularly, and the results will be published in the future Annual Reports of the Department, or more frequently if occasion should require.

MR. BRADLAUGH (Northampton): Do I understand that the provisions of the Alien Act are carried out wholly or partially under his direction, and if only partially to what extent?

\*SIR M. HICKS BEACH: Only to the extent necessary for obtaining information.

#### SMALL ARMS FOR VOLUNTEERS.

MR. LENG (Dundee): I beg to ask the Secretary of State for War whether it is intended at the close of the present year to call in the Snider carbine and issue the Martini-Henry carbine in its place to Artillery Volunteers?

\*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): No, Sir. Martini-Henry carbines are not available for this purpose in sufficient numbers at the present time.

#### SOUTH AFRICA.

MR. ERNEST BECKETT (York, N.R., Whitby): I beg to ask the Under Secretary of State for the Colonies whether, having regard to the declara-

tion made by him on 9th November, 1888, that

"The sphere of British influence south of the Zambesi is declared to extend over 'the territories north of the South African Republic and the Bechuanaland Protectorate, south of the Zambesi, east of the 20th degree of east longitude, and west of the Portuguese province of Sofala,'"

it is the case that an English Corporation has since acquired from Moremi, the King of the Bamaugwatos, all the mineral rights, together with timber and grazing rights within his country, which country is included in the area thus defined as lying within the sphere of British influence; whether, in the negotiations now pending in Berlin, Sir Percy Anderson has been informed of the existence of this concession; and whether the Government adhere to the above-quoted definition of the sphere of British influence in South Africa?

THE SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): The description referred to was accurate so far as it went, but the boundaries are necessarily to a great extent still undefined, as the Zambesi and the 20th meridian do not intersect each other. The question of further delimitation is now the subject of negotiation. Her Majesty's Government have been informed that such a concession has been acquired by an English Limited Company, and it is believed that these rights have been acquired subsequently to my statement of November, 1888. This information has been communicated to Her Majesty's Embassy at Berlin.

\*MR. E. BECKETT: Are we to understand that there has been no surrender of British territory such as it was defined to be in the answer of the Secretary of State for the Colonies in November, 1888?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Perhaps I may answer that question. It is quite evident that the description in 1888 was not strictly defined to the North or North-West; but what I am in a position to say is this, that should there be any fresh delimitation of territory, any rights acquired by British subjects in such districts would be borne in mind.

#### THE PROCURATOR FISCAL OF TOBERMORY.

DR. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether it is true that the firm of which the Procurator Fiscal of Tobermory is a member are law agents for several landed proprietors in the district, and are at present acting for two or more of these in civil processes against crofters on their estates; and whether, taking into consideration his answer to the Member for Inverness-shire on the 16th of July last, and his declaration that he approved of the action of the Sheriff of that county in instructing a firm of solicitors, of which the local Procurator Fiscal was a member, that it was undesirable that they should act in such cases, he will take steps to have the same rule adopted in Argyleshire?

\*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I find that the Procurator Fiscal's firm have for many years acted as agents for some proprietors in Mull, and recently appeared for them in applications before the Crofter Commission; but I have no information to show that they are acting in processes against crofters, as is stated in the question, and as was the ground of complaint in the case last year to which the hon. Member refers. I have, however, thought it right to communicate with the Sheriff on the subject.

#### GRIEVANCES OF GOVERNMENT EMPLOYÉS.

MR. ARTHUR WILLIAMS (Glamorgan, S.): I beg to ask the First Lord of the Admiralty whether there is any Order or Regulation which prohibits, regulates, or controls the holding of meetings by those employed in Her Majesty's Dockyards, for the purpose of discussing their position and making known their grievances; and, if so, whether he will state the terms of any such Order or Regulation?

LORD G. HAMILTON: The Regulations affecting the meeting of *employés* in the Public Service are issued Departmentally, and must depend upon the conditions and nature of the employment given. In the dockyards only a proportion of those employed are in the permanent service of the country, the remainder are periodically hired. The

Admiralty have not hitherto found it necessary to issue any Regulations on the subject.

MR. ARTHUR WILLIAMS: I beg to ask the President of the Board of Trade whether there is any Order or Regulation which prohibits, regulates, or controls the holding of meetings by those employed in any branch of the Department for the purpose of discussing their position and making known their grievances; and, if so, whether he will state the terms of any such Order or Regulation?

\*SIR M. HICKS BEACH: It has never been found necessary to make any Regulations of the kind referred to by the hon. Member. The staff of the Board of Trade, though numerous, is scattered over the whole of the United Kingdom.

#### POLLUTION OF THE RIVER COLNE.

MR. LAWSON (St. Pancras, W.): I beg to ask the President of the Local Government Board whether he will inquire into the cause of the poisoning and pollution of the River Colne and its tributaries by the Croxley Paper Mills, near Watford, on Wednesday the 7th May, whereby private property to the value of many hundreds of pounds was destroyed; and whether he has any power to insist upon the provision of necessary apparatus whereby poisonous, noxious, or polluting liquid or matter can be dealt with so as to prevent any such injury or damage for the future; and, if so, whether he will exercise such powers, in the interest of the owners, tenants, and ratepayers of the river and fisheries in the neighbourhood?

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE, Tower Hamlets, St. George's): Since the notice of this question was given by the hon. Member, I have communicated with the Sanitary Authority of the Watford Union, and I learn from their clerk that no complaint has been made to the Authority as to the occurrence on the 7th May at the Croxley Paper Mills. I am informed, however, by the communications which I have received, that a tank at the mills which was charged with chloride of lime burst, the result being to poison great quantities of fish, and to affect the water for a long distance below the mills. I have no

*Lord G. Hamilton*

authority to insist upon the provision of necessary apparatus whereby poisonous, noxious, or polluting liquid or matter can be dealt with so as to prevent any such injury or damage for the future. If, as I infer is the case, it is considered that the provisions of the Rivers Pollution Prevention Act are contravened, the Sanitary Authority are empowered, with the consent of the Local Government Board, to institute proceedings for the enforcement of that Act. If any such consent is applied for, the matter will receive my prompt consideration. In the meantime, I will bring the matter specially under the attention of the Sanitary Authority, and request them to investigate the facts and report the result to the Board.

MR. ISAACSON (Tower Hamlets, Stepney): May I ask whether a tenant is compelled to give two months' notice before a nuisance can be abated?

\*MR. RITCHIE: The Local Government Board have no authority in the matter, unless the Local Authority propose to institute proceedings under the Rivers Pollution Prevention Act, and apply to the Board for their consent to the institution of the proceedings. The notice for the abatement of a nuisance rests with the Sanitary Authority of the district.

#### RECEIPTS FROM STAMPS.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.): I beg to ask the Chancellor of the Exchequer if he definitely declines to distinguish the Metropolis from the other parts of the United Kingdom in regard to the receipts from stamps (including Probate Duty) and Income Tax?

THE CHANCELLOR OF THE EXCHEQUER (MR. GOSCHEN, St. George's, Hanover Square): Yes, Sir; definitely.

#### LIQUOR TRAFFIC IN THE UNITED STATES.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government have acquired any recent information as to the results of the control of the drink traffic in the United States; and whether there are any authoritative Reports of recent date which can be presented to Parliament?

\***SIR J. FERGUSSON** : My hon. Friend has not observed a very complete Report on this subject by Mr. Edwards, Her Majesty's Secretary of Legation at Washington, which has been laid before Parliament as No. 154 of the Miscellaneous Foreign Office Reports. This Paper, which has been extensively noticed, both in this country and in the United States, brings down all the information available upon the subject to a recent date.

#### BEHRINGS SEA FISHERIES.

**SIR GEORGE BADEN-POWELL** : I beg to ask the Under Secretary of State for Foreign Affairs whether he can make any further statement as to the progress of the negotiations for the settlement of the Behrings Sea fishery dispute?

\***SIR J. FERGUSSON** : Her Majesty's Government are not at present in a position to make any statement on the subject.

**MR. STAVELEY HILL** (Staffordshire, Kingswinford) : When will the right hon. Gentleman be able to give information as to the settlement of the Behrings Sea fisheries difficulty?

\***SIR J. FERGUSSON** : It is impossible for me to say when a settlement will be attained, because the negotiations are not closed. I shall be happy to give the information as soon as possible.

**MR. S. HILL** : May I remind the right hon. Gentleman that to-day's papers announce that Sir John MacDonald is going to make a statement in the Canadian Parliament to-day?

\***SIR J. FERGUSSON** : I do not think that the Premier will be in a position to make any statement as to the final arrangements.

#### THE LONDON WATER COMPANIES.

**MR. KELLY** (Camberwell, N.) : I beg to ask the President of the Local Government Board whether, in view of the quinquennial re-assessment of property in London, which will come into force in 1891, and will give the Water Companies power to exact an increased charge for their supplies, he can give the House any assurance that he will introduce a Bill during the present Session for the purpose of suspending the powers of the Water Companies to increase their charges for water consequent upon such increase in the assessment, and so prevent such Companies

from being in a position to force up the prices at which their undertakings will have to be purchased eventually by the London County Council?

\***MR. RITCHIE** : I cannot hold out any expectation that the Government will introduce a Bill on the subject.

#### EXTINCTION OF LICENCES.

**MR. J. O'CONNOR** (Tipperary, S.) : I beg to ask the Chancellor of the Exchequer whether the permission proposed to be given to County Councils to borrow three years' contributions to the fund promised out of the additional Spirit Duty towards the extinction of licences involves the continuance of that duty for a definite term of years; and whether there is any precedent for such an imposition of an Excise Duty for years in advance?

**MR. GOSCHEN** : There are precedents in olden times, and there is nothing contrary to Constitutional practice in the proposals of the Government.

#### EQUIPMENT OF THE VOLUNTEERS.

**MR. BROOKFIELD** (Sussex, Rye) : I beg to ask the Secretary of State for War whether the additional sum now promised to the Volunteer Force for equipment will be given unconditionally, or whether he is considering the expediency of making, at the same time, new regulations to improve the discipline and Military efficiency of the Force?

\***MR. E. STANHOPE** : There is no present intention by any legislative enactment to insist on increased efficiency in return for the grant now to be made; but I feel certain that the House will support any changes which may, from time to time, be found possible, without pressing too heavily on the Volunteers, in the direction of increased efficiency and of readiness for immediate action whenever required.

#### NEWFOUNDLAND FISHERIES.

**DR. CAMERON** : I beg to ask the Under Secretary of State for Foreign Affairs whether it is true, as stated in a Renter's telegram from St. John's of the 14th instant, that a Joint Committee of both Houses of the Newfoundland Legislature has passed an Address to Her Majesty, protesting against the action of the Imperial Government on

the fisheries question; whether Her Majesty's Government have yet been made aware of the terms of the Address referred to; and whether it will be laid upon the Table of this House?

\***SIR J. FERGUSSON**: Her Majesty's Government have not as yet received information on the subject. There will probably be no objection to laying before the House any such Address when received.

#### NON-RENEWAL OF LICENCES.

**MR. CALEB WRIGHT** (Lancashire, S.W., Leigh): I beg to ask the President of the Local Government Board if he would add a new Clause to the Local Taxation Duties Bill, declaring that nothing shall be taken to imply that compensation ought to be given upon the non-renewal of a licence?

\***MR. RITCHIE**: I must ask the hon. Gentleman to wait until the Amendments are put upon the Paper in order to see what the Government propose.

#### MAGAZINE RIFLES.

**MR. HANBURY** (Preston): I beg to ask the Secretary of State for War what number of magazine rifles have already been manufactured, and how many it is expected will be completed before the end of this year by private manufacturers, and in the Government Factory respectively; what number of sets of the Slade-Wallace equipment have already been manufactured for the Army and Volunteers respectively, and how many will, it is expected, be so completed before the end of the year; whether he will be able to arrive at a decision as to the alleged patents in connection with a new rifle and a new equipment, which have already been so largely manufactured, before the vote for them is taken; and how many of the patents taken out in connection with the magazine rifle stand in the names of persons in Government employment?

\***MR. E. STANHOPE**: I am not able, consistently with the public interests, to state the numbers made and expected of the magazine rifle; but if my hon. Friend wishes it, I shall be happy to communicate them to him privately. As regards the Slade-Wallace equipment, 19,314 sets have been received, and 60,400 more are expected before the end of the year. These are for the Regular

*Dr. Cameron*

Forces. The Volunteers buy their own. A decision as to the patents affecting the Slade-Wallace equipment will, I hope, be arrived at very shortly. The case of the magazine rifle will take longer, and must be considered by the Ordnance Council. Four patents in connection with the magazine rifle stand in the names of persons in Government employment, but their validity has not at present been recognised.

#### THE LONDON CORPORATION DESTRUCTOR.

**MR. PICKERSGILL** (Bethnal Green, S.W.): I beg to ask the President of the Local Government Board whether he is aware that the nuisance (to which his attention was drawn in June last) arising from noisome smoke issuing from the chimney of the "destructor" belonging to the Commissioners of Sewers for the City of London, situated at Lett's Wharf, still continues; that it was particularly offensive on the 15th instant; and that complaint has been made to the Lambeth Vestry by Mr. Shield, Police Magistrate; and whether he will take further, and effectual, steps to abate the nuisance?

\***MR. RITCHIE**: In June of last year a question was asked in the House with reference to an alleged nuisance from noisome smoke issuing from the chimney of the destructor at Lett's Wharf. I communicated at that time with the Commissioners of Sewers for the City of London and the Vestry of the Parish of Lambeth on the subject, but the replies which were received did not confirm the allegation that there was any such nuisance. Since then I have received no communication alleging that such a nuisance exists, but I will make further inquiries as to the facts.

**MR. PICKERSGILL**: I will repeat the question on Thursday.

#### INHABITED HOUSE DUTY.

**MR. SHIRESS WILL** (Montrose, &c.): I beg to ask the Chancellor of the Exchequer whether his attention has been directed to the hardship of the smaller class of shopkeepers who reside over their shops, caused by the fact that unless the shop is a separate tenement and separately let the annual value of the shop is reckoned in the amount on which the house is assessed to the

Inhabited House Duties; whether this is the rule even if the shop does not communicate directly with the rest of the house, and whether he is willing to consider the propriety of enacting, either in the Customs and Inland Revenue Bill or otherwise, that where a part of any house being one property is occupied solely for the purpose of any trade or business or of any profession or calling by which the occupier seeks a livelihood or profit, whether the part so occupied communicates directly or not with the rest of the house, such part of the house shall not be taken into account in assessing the amount on which the house shall be chargeable with the Inhabited House Duties?

MR. GOSCHEN: I am sorry that I can only give to the hon. Member the same answer I have given to other hon. Members, that I am not prepared to open up any further question as to the House Duty this year.

#### BENARES.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India, with reference to his answer of the 12th July, 1889, whether the Secretary of State is now aware that, with respect to the seizure and confiscation of certain property and Trusts Funds belonging to the Temples of Gunnessh, Shiva, and Anpurna, and the Chattras at Benares, on the 19th January, 1858, an official inquiry was ordered by the Government of India on the 10th September, 1888; and that a Report, in reply, was forwarded to the Government of India, on the 14th February, 1889, by the Commissioners of Benares; whether that Report was favourable to the claims of the Trustee of the Temples, for the restitution of part of the property seized, the Commissioner suggesting that the property should be restored to the proper parties, and to the necessity for further investigation as to the other parts of the property; and whether such restoration has taken place, and such further investigation made; and, if not, if he can state the reasons?

\*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): An official inquiry was ordered, and two Reports dated the 14th February and the 13th April, 1889, were made. These Reports were unfavourable to the claim

of the Trustees of the Temples, nor did the Commissioner suggest, as alleged, that property should be restored. No restoration has taken place, because the Government of India, after full consideration of the case, have come to the conclusion that the claim now preferred is not only unsupported by any evidence, but is also improbable and inconsistent with the claimants' own conduct.

MR. BRADLAUGH: There appears to have been some misconception in regard to the matter. Will the Secretary of State lay upon the Table the two Reports of February and April, 1889?

\*SIR J. GORST: Yes; their will be no objection to lay them on the Table if the hon. Member will move for them.

MR. BRADLAUGH: I will move for them.

#### DISMISSAL OF SURGEONS ON THE BENGAL ESTABLISHMENT.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India whether the Secretary of State's attention has been drawn to the circumstances under which Kali Krishna Bágchi and two other surgeons on the Bengal Establishment have been dismissed from the Service; whether it is the fact that, in accordance with the rule governing the promotion of assistant surgeons, Kali Krishna Bágchi, after 14 years most satisfactory service, applied for examination at the septennial examination in Calcutta, in May last, and two other assistant surgeons, after a lesser term of service, applied for like examination; such examination took place, and all were declared to have satisfied the examiners; that the Inspector General of Hospitals addressed questions to the principal of the Medical College, and received assurances that every safeguard against foul play had been taken, and the examination conducted under adequate supervision; that, nevertheless, the Inspector General called upon Kali Krishna Bágchi and two others to undergo a supplementary examination prepared by himself; whether this course was in direct contradiction to the Regulations affecting medical examinations in India, the Examining Board alone having power to examine medical officers; whether Kali Krishna Bágchi and two others, having, on the ground that the proceedings were an imputation on their honour, and contrary to the Regulations, refused to

submit themselves to the supplementary examination, were summarily dismissed for wilful disobedience of orders; whether the Head of a Department can thus summarily dismiss officers against whom no charges of misconduct are made or inquired into, in view of the fact that the Rules of the Government Service in India state that Indian

"Subordinates are not to be dismissed merely in consequence of unfavourable opinions entertained towards them by their superiors, or for slight reasons, but on proof only of tangible delinquency in such matters as fraud and dishonesty, continued and wilful negligence, and all offences involving worse disgrace;"

and whether he will give instructions that the order for the dismissal of these officers shall be cancelled, and will direct an inquiry to be instituted into the whole circumstances, in which full opportunity will be given to the officers concerned to answer any charges which may have been brought against them?

\*SIR J. GORST: The Secretary of State has no official information as to the allegations contained in the question. If the hon. Member will furnish the Secretary of State with any ground for them, the matter will be referred for inquiry to the Government of India.

#### HALL-MARKING FOR INDIAN WARES.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India whether any communications have been received from India with reference to the Government proposals to institute a special system of hall-marking for Indian wares; and, if so, whether he will state the nature of such communications?

\*SIR J. GORST: The Secretary of State has referred the proposal of the Government to the Viceroy, but there has not yet been time for a reply.

#### GOVERNMENT STAMPS FOR INDIA.

MR. HANBURY (Preston): I beg to ask the Secretary to the Treasury what is the amount annually paid to the Inland Revenue Department, by the India Office for the control of the stamps required by the Government of India; how much of this amount is paid in salaries, and wages, and to whom; and whether any portion of this amount so received for a definite purpose, but unappropriated for that purpose, is treated as a miscellaneous receipt by the Board of Inland Revenue, and paid to

*Mr. Bradlaugh*

the Exchequer as, such, on refunded to the India Office?

\*MR. JACKSON: I am informed that the amount paid for the year ending March, 1889, by the Revenue Department for services in India was £3,479 4s. 7d. Of this sum £2,489 4s. 7d. was paid for the wages of the men employed by the Indian Government. The balance of £990 was paid over to the Exchequer as miscellaneous revenue, under a general arrangement, signed by the Treasury in 1886. Of that sum £690 was paid in the shape of salaries to certain officers for the control and inspection of stamps, and the balance was held over for incidental expenditure.

MR. HANBURY: What was the incidental expenditure?

\*MR. JACKSON: I cannot say, but I take it that in every Department there is a certain amount of incidental expenditure.

MR. HANBURY: On the Inland Revenue Vote I will call attention to the matter.

#### EAST AND CENTRAL AFRICA.

SIR J. KENNAWAY (Devon, Honiton): As a matter of urgency, I beg to ask whether there is any truth in the statement, made in the *Morning Post* of to-day, that the Germans are aiming at the exclusion of British Missions and British commerce from the Kingdom of Uganda; that Cardinal Lavigerie has entered into an agreement with the German East African Company to procure these ends and to cause Uganda to be withdrawn from the scope of the contemplated delimitations of territory in Central Africa; and whether, in view of the expenditure of life, labour, and money there in the cause of civilisation and Christianity, the Foreign Office will do its utmost to protect the interests of Missions and travellers in those parts?

MR. MUNRO FERGUSON (Leith, &c.): Before the right hon. Gentleman answers the question, may I ask him to inform the House whether the line of demarcation in 1886 still remains the line between the sphere of British influence and the sphere of German influence in that portion of East Africa? The point I refer to was laid down in a letter of Lord Salisbury's dated July 2, 1887.

\*SIR J. FERGUSON: As the newspaper statements in question are calculated to cause apprehension, and as the House does not sit again till Monday, I shall be justified in replying that Her Majesty's Government have no information tending to confirm them. In reply to the hon. Member for Leith (Mr. M. Ferguson), I may say that we know of no action on the part of the German Government or of German Agents calculated to prejudice the rights of British subjects under existing agreements, and that matters hitherto unsettled are being discussed at Berlin in a friendly spirit, so that the important interests involved will not be prejudiced by abstention from discussion at present.

#### THE DIVISION ON THE LOCAL TAXATION BILL.

MR. H. H. FOWLER (Wolverhampton, E.): I wish to draw the Speaker's attention to the fact that in the Division on the Local Taxation (Customs and Excise) Duties Bill, which appears in the Votes and Proceedings of the House this morning, the Ayes are stated to be 339 and the Noes 266, thus giving a majority of 73 for the Second Reading. As the votes were given it appears that the Members voting for the Second Reading were 338 and those against 268, thus giving a majority of only 70. I wish to ask whether the mistake will be set right?

\*MR. SPEAKER: I have no doubt that any mistake will be put right.

\*MR. AKERS DOUGLAS (Kent, St. Augustine's): It very often happens that the figures are not quite correct at first, but the mistake is set right the next day. I believe that there has been a mistake made in the numbers, the hon. Member for Walsall (Sir C. Forster) not having gone through the Lobby, and another Member not being counted. The correction will appear in the usual course.

#### PERSONAL EXPLANATION—SIR WILFRID LAWSON.

SIR W. LAWSON (Cumberland, Cockermouth): I wish, Sir, with the permission of the House, to make a personal explanation. The leader of the House in his speech last night gave the impression that on a certain occasion in this House I had been a supporter

of compensation. I have referred to *Hansard*, and I would like to read to the House the words I used on March 13, 1877 (the occasion referred to by the right hon. Gentleman), with reference to the Gothenburg Resolution of the right hon. Member for West Birmingham (Mr. J. Chamberlain). I spoke as follows:—

"My hon. Friend talks about compensation. His Resolution is very well drawn, and he says he would give 'fair compensation.' So would I. I do not want to do anything unfair. Let anybody show that he is entitled to compensation, and there is no one in the House who would be more ready to vote for it than I am. But I tell you what I think—this is merely my opinion. I think that where a man has made a bargain with the public, and has paid money for the power of selling drink up to the 10th of October, on which day his licence ends, it is quite fair that if you want him to give up before that date you should pay him something. But after that I would not give him one penny of compensation. People talk about compensation, but I should like to see any first-class lawyer stand up in this House and pledge his reputation to the statement that a publican has any right to compensation after his licence has run out. He would never be listened to again and his authority would be gone if he dared to say anything of the kind."

\*MR. W. H. SMITH: I should like to ask the hon. Baronet one question. Did he not vote for the Resolution I read to the House last night?

SIR W. LAWSON: I am not charging the right hon. Gentleman with doing anything unfair. I certainly voted for the Resolution, but at the same time I made the statement I have read to the House.

#### LEAVE OF ABSENCE.

Captain Selwyn, for four weeks, on account of ill-health.—(Mr. Akers Douglas.)

#### MOTIONS.

#### LOCAL BANKRUPTCY (IRELAND) LAW AMENDMENT BILL.

On Motion of Mr. Sexton, Bill to amend the Law relating to Local Courts of Bankruptcy in Ireland, ordered to be brought in by Mr. Sexton, Sir James Corry, Mr. Maurice Healy, Mr. M'Cartan, and Mr. Clancy.

Bill presented, and read first time. [Bill 280.]

#### REGISTRATION OF VOTERS (IRELAND) BILL.

On Motion of Mr. Chance, Bill to amend the Law relating to the Registration of Parliamentary voters in Ireland, ordered to be brought in by Mr. Chance, Mr. T. M. Healy, and Mr. Maurice Healy.

Bill presented, and read first time. [Bill 281.]



TRUST INVESTMENT ACT (1889) AMENDMENT  
BILL.

On Motion of Mr. Oldroyd, Bill to amend "The Trust Investment Act, 1889," ordered to be brought in by Mr. Oldroyd, Mr. George Curzon, Mr. Gully, Sir Matthew White Ridley, and Mr. Rowntree.

Bill presented, and read first time. [Bill 282.]

## ORDERS OF THE DAY.

CUSTOMS AND INLAND REVENUE  
BILL.—(No. 231.)

## COMMITTEE.

Considered in Committee.

(In the Committee.)

Postponed Clause 4.

\*(250.) MR. H. H. FOWLER (Wolverhampton, E.): I beg to move, in postponed Clause No. 4, page 2, line 9, after "ninety," to insert "until the first day of April, one thousand eight hundred and ninety-one." The object of the Amendment is to provide that the new tax to be placed upon spirits should only be imposed for a period of 12 months. By Clause 2 of the Bill the Tea Duty is only imposed for a period of 12 months, and by Clause 22 the Income Tax also is only imposed for one year. I presume the Committee are aware of the reasons why the taxation of the year is made annual and not permanent. It involves a Constitutional principle. The present mode of dealing with our Customs and Inland Revenue is by an annual Bill, that practice having been settled in consequence of the dispute between the two Houses when the Paper Duty was repealed. I ask the Chancellor of the Exchequer to put the new duty on the same footing as the Tea Duty and the Income Tax, on the ground that by so doing he will not interfere with the annual control of the House of Commons over the taxation of the year. I am aware that a considerable portion of the Revenue is of a permanent character. There are a large number of taxes which form part of our regular fiscal system which are not voted annually, but this House has always reserved to itself the control over a certain portion of the annual supply in order to secure its control over the annual expenditure. That this is the Constitutional practice is shown by what was said by Mr.

Disraeli in 1860, who, referring to Lord Palmerston's acknowledgment of the importance and absolute necessity of the House of Commons exercising a due and effective control over the annual taxation of the country, said that there was not only Constitutional Liberals, but commercial Liberals—the Constitutional Liberals were desirous of retaining the control over the annual Revenue of the country, whereas the commercial Liberals wished to exercise such a pressure upon the Minister of the day, that for commercial purposes the control of the House over its annual taxation was lost. Now, the present Chancellor of the Exchequer, if anything, is a Constitutional Liberal. I think he will not repudiate that title, and I appeal to him to maintain the control of this House over the taxation of the country. The question underlying this point is the exclusive jurisdiction of the House over the annual taxation of the country. The result of this Bill will be to give to the House of Lords a co-ordinate jurisdiction with the House of Commons over taxation, and against that I wish to protest. Lord J. Russell, in the same Debate, said that if the House of Lords was to be admitted to partnership with the House of Commons the finances of the country might be thrown into utter confusion, and he added that the effect of making a proposed tax a permanent addition to the taxation of the country was that without the concurrence of the House of Lords you could neither deal with the tax which was to be imposed nor with the application of it. In this way the House of Commons would altogether lose its control over the taxation of the country, because no alteration could be effected without legislation, to which the House of Lords must be a party. The other night the right hon. Member for Mid Lothian (Mr. W. E. Gladstone), in speaking upon this subject, alluded to the old custom of one of the Money Bills not being passed until a late period of the Session, in order that the House of Commons might keep its control. Now we have the whole taxation put into one Bill, and at present we have only two great annual taxes, namely, the Tea Duty and the Income Tax, and this year we are going materially to reduce the Tea Duty. The Chancellor of the Exchequer says that the tipplers are to relieve

the consumers of tea, but we are going to sacrifice £1,500,000 of the Tea Duty. What the Amendment proposes is that the sum of £1,300,000, which is what the Chancellor of the Exchequer called the tipplers' relief to the consumers of tea, should be put in the same position, in no better and no worse position than the duty on tea. It ought to be an annual tax voted by the House; it ought to be subject to the control of the House, and in that way the House would maintain its exclusive jurisdiction over taxation. That is the Constitutional aspect, but there is also a practical, financial aspect of the matter. The Chancellor of the Exchequer invites us to make a great financial experiment, and he assumes that an increase of the Spirit Duties is certain to be followed by a corresponding increase of revenue; but he has adduced no facts in support of that assumption; and all the evidence goes to show that there is a certain high-water mark beyond which increase of duties produces illicit distillation, and the revenue suffers. I do not say that the Chancellor of the Exchequer is wrong; but, at any rate, it is only an experimental view, and he has no authority for the position he has taken. All the authorities go the other way. In 1819 the duties on spirits reached 11s. 8½d., which was the highest point they ever reached. And what followed? The revenue, instead of increasing, diminished. In 1823 Mr. Huskisson took the matter in hand. He reduced the Scotch Duty from 6s. 2d. to 2s. 5d., the Irish Duty from 5s. 7d. to 2s. 5d., and the English Duty from 11s. 8½d. to 7s. The revenue immediately increased. In 1860 the Spirit Duties reached 10s., at which point they have practically remained ever since. But in the interval between 1825, when Mr. Huskisson dealt with the matter, and 1860, when the right hon. Member for Mid Lothian placed the taxation on its present level, the result of the increase of the Spirit Duty, as shown in the valuable work on Finance by my hon. Friend the Member for Poplar (Mr. S. Buxton), was a falling off of the revenue. In 1858, instead of the £500,000 expected, only £70,000 was received; and in 1860, instead of an additional £600,000 from British spirits, there was an actual diminution of revenue to the extent of £550,000. It

was not until four years later that the Chancellor of the Exchequer succeeded in raising the additional amount of revenue he had calculated upon in 1860. I do not say that the present Chancellor of the Exchequer is not right in anticipating the large sum he has mentioned; but on Constitutional, as well as on financial, grounds I maintain that the tax should be limited to one year. A third peculiarity of the present proposal is that it is a tax for a new purpose, and not for the National Expenditure of the year. There has been no estimate laid before the House showing that the Imperial taxation requires it. There is reason to complain of the delay in furnishing the House with information bearing upon this point; and the right hon. Member for Mid Lothian was obliged to speak the other night without having seen a Return which had been distributed that morning. How much money in aid up to the present time has been paid to the Local Authorities? What has been the result of the Chancellor of the Exchequer's proposals of 1838 and 1889?

\*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I stated it in the Budget speech.

\*MR. H. H. FOWLER: Only the sum then paid. Before the House is asked to increase the subventions which were given two years back we are entitled to know what amount these subventions have reached and how they have been apportioned between the counties and the boroughs. I raise for the moment no question of the goodness or badness of the tax or of the justice or injustice of the appropriation; but the whole scheme is a huge experiment, and, therefore, I move my Amendment limiting the tax to 12 months.

Amendment proposed, in page 2, line 9, after the word "ninety," to insert the words "until the first day of April one thousand eight hundred and ninety-one."

—(Mr. Henry H. Fowler.)

Question proposed, "That those words be there inserted."

(3.20.) MR. T. M. HEALY (Longford, N.): I think the Committee are extremely indebted to the right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler). I greatly regret that the Chancellor of the Exchequer refused to

accept the offer made to him last night to take these postponed clauses out of the Bill and put them in the Bill which is to follow. The House is asked to enter upon an entirely novel course, and nothing is known of how the taxes proposed will be administered, or, so far as Ireland is concerned, whether Local Government will ever be established there at all. It is monstrous to ask Irish Members to vote an additional tax on spirits—one of the principal commodities of Ireland—when it is impossible to say whether any of it will ever be devoted to the extinction of public houses. The House is asked to vote the tax for good or bad, once and for all, and without any possibility of annual revision. The Government may be driven out of Office before they pass the Local Government Bill for Ireland, or they may change their minds about the introduction of such a measure at all. Nevertheless, this tax will have been voted beyond review or recall. The well-known liberal views of the Chancellor of the Exchequer about the extension of Local Government to Ireland may be smothered by his own Cabinet; yet he asks us to vote this Bill on the faith of getting Local Government for Ireland. He asks us to give a blank cheque to Lord Salisbury in the shape of an additional sixpence on Irish whisky. Good and generous and democratic as the sentiments of the right hon. Gentleman may be, it must be remembered that he has a Cabinet acting with him who may out-vote him, and there may be no extinction of public houses in Ireland at all. As a matter of fact, we are discussing this measure handcuffed and with our tongues tied. English Members have less ground for complaint. They have already got their Local Government, whereas the Irish people may have neither the one nor the other. They may never get Local Government, but, at the same time, they will have to pay this tax. Is it unreasonable, then, to ask that next year we should have an opportunity of again criticising the proposals of the Government? I certainly cannot see what object the Government propose to gain by refusing to have a review of the matter next year. I object in the strongest way not only to the proposals of the Government, but to the mode in which they are carrying

*Mr. T. M. Healy*

them out. I dispute their good intentions, and challenge their *bona fides*. With regard to the question of taxation, which is one of the fundamental questions with which Members of Parliament have to deal, we ought to have an opportunity of re-considering our position and the circumstances of the country in the same way as in the case of other matters, for which we annually pass Continuance Bills. I do not know what argument the Government can allege on this one point unless it be the old argument that we must have confidence in the Government, which simply amounts to this: "Open your mouth and shut your eyes and see what the Chancellor of the Exchequer will give you." I am glad to notice that the right hon. Gentleman the Member for South Tyrone has at last taken his proper place in this House [the hon. Member (Mr. T. W. Russell) was at this moment sitting on one of the Ministerial Benches], but I think that even he will agree with me in asking that the Government should afford us next year some means of reviewing their fiscal policy with regard to Ireland. It has already been stated that shortly after the great war the English people had to pay the enormous duty of 11s. 8d. per gallon on spirits. That is the highest fiscal tax ever imposed on this country, and I am glad to say we never had it to pay in Ireland; but now the Government are seeking to impose upon us, not for Imperial, but for local purposes, the heaviest tax ever placed upon what is the chief article of Irish manufacture. If the Government had imported this proposal into a Local Government Bill there might have been some reason in it; but as it is, we have no guarantee as to what will be done with the money, and next year, in all probability, we shall be in exactly the same position as we are now. The money will be gone, our whisky will still be heavily taxed, we shall still be without a Local Government Board, but the Chancellor of the Exchequer will still be Chancellor of the Exchequer, which practically will be the one point the Government will have attained.

\*(3.35.) SIR J. M'KENNA (Monaghan, S.): My objection to the proposal of the Government is that they put upon an article, which is one of the chief products of Irish manufacture, a tax which

is perfectly monstrous. This is a subject about which I know something—I have felt much interest in it for many years, and I have more than once shown that during the last 37 years the tax on proof spirits has been advanced in Ireland from 2s. 8d. to 10s. a gallon, while the Englishman pays on his own national beverage the very disproportionate tax of 1s. 10d. on its alcoholic equivalent in the vehicle of beer.

THE CHAIRMAN: Order, order! I must point out to the hon. Gentleman that the Amendment before the Committee is a proposal to limit the tax to the year, whereas the hon. Gentleman is arguing that it should be done away with altogether.

\*SIR J. M'KENNA: I bow, Sir, with all due respect to your ruling; but I think that in supporting an Amendment which proposes to limit the tax to one year it is not going beyond the question to urge facts which favour the limitation, although they may show that it ought not to be imposed at all. I think that that point is capable of appreciation even by the meanest intellect. I do not think that anyone will be deceived by the proposal of the Government, which simply means that Ireland shall pay, in addition to the present exorbitant duty, another 6d. for the so-called benevolent objects the Government have put forward.

(3.38.) MR. FLYNN (Cork, N.): I quite agree with the contention of my hon. Friend the Member for Longford (Mr. T. M. Healy), who has objected to the imposition of this tax for an indefinite period. The right hon. Gentleman the Member for Wolverhampton has raised a question of great Constitutional importance, and it is one on which we are all anxious to hear the reply of the Chancellor of the Exchequer. My hon. Friend the Member for Longford has truly said we have no guarantee that the money to be raised by the Bill will be applied to any of the local purposes to which we are told it will be devoted. On the contrary, I think we have every guarantee that it will not be devoted to those local objects. Therefore, I say, we are right in resisting the imposition of this tax for a longer period of 12 months. In 12 months the Government will surely be enabled to see what will be the effect of the new taxation on beer and spirits.

As my hon. Friend has put it we are asked to impose this increased taxation with our eyes blindfolded. Perhaps I may be allowed to amend the old saw he has just quoted by putting it in this form—"Shut your eyes, open your purse, and see how we will spend it." As it is, we are in a condition of absolute uncertainty as to how this proposal will operate; and, under these circumstances, I think we are entitled to a clear explanation from the Government of the reasons why this new taxation is to be imposed. Why cannot the Government accept the Amendment limiting the tax to a period of 12 months, when, if it be found to work well, it might, as my hon. and learned Friend suggests, be carried on by means of Continuance Bills. I think the Chancellor of the Exchequer would be wise in accepting the proposed limitation.

\*(3.43.) MR. GOSCHEN: In reply to the observations of the hon. Member who has just spoken I would point out that he and other hon. Members are in error in thinking that in voting a tax like that now proposed they will thereby be precluded from re-opening the question at any future time. There is scarcely a tax, whatever its nature may be, that escapes attack, and with regard to which Motions are not brought forward for its repeal. The right hon. Gentleman the Member for Wolverhampton, in bringing forward his Amendment, argued the question on Constitutional grounds, financial grounds, and experimental grounds. The right hon. Gentleman appeared to think that it was un-Constitutional to vote taxes for a longer period than one year, and that we are departing from Constitutional practice in the proposal now before the House. The right hon. Gentleman went back to the Debates of 1860 in order to justify his Constitutional objection; but he did not quote anything that has occurred since that date in support of his contention. The right hon. Gentleman will find in all these cases that the taxes have been voted in precisely the same manner as this is proposed. I am very much mistaken if my right hon. Friend the Member for Edinburgh, when he imposed a Spirit Duty, limited it to one year. That has never been the practice since the year 1860; and, so far as I have known, with the exception of the Estate Duty last year

they have always been proposed precisely in the manner in which we propose to vote it this year. The right hon. Gentleman (Mr. Fowler) wishes the old portion of the tax (10s.) to be in the ordinary form, but the 6d. over that 10s. is to be in the new form. It must be obvious that the right hon. Gentleman is forcing the doctrine of 1860 to a remarkable extent in considering in dealing with this particular tax we should be retaining the power and influence of the House of Commons over the general taxation of the country. The right hon. Gentleman did not argue it from the point of view of a particular application. He laid it down as a Constitutional duty that, having parted with a million and a half of Tea Duty, the House of Commons was to put its hand on a similar amount in order to be master of the fiscal position of the country. I think he will see that though a Constitutional it was an entirely fallacious argument. With regard to the financial effect of my proposals, I would point out to the right hon. Gentleman that if there is one means more than another which would frustrate the expectations of the Government as to the amount to be realised from the tax it would be to treat it as an avowedly experimental tax. Surely the right hon. Gentleman has been long enough at the Treasury to know that if you want a tax to yield a smaller amount in a given year than it otherwise would yield you have only to hold out to the trade that it is highly likely to be reviewed again next year. We do not wish, even if we could, to deprive the House of Commons of any kind of control over this tax at all. It will be in the power of the House to vote against this tax next year. We cannot treat it as an experimental tax. Hon. Members, if they read the history of Parliament, will know that it is in the power of the House either to repeal or to diminish the tax. The whole point is that if you leave it to be supposed that a particular tax will be reviewed next year, you leave the whole trade in a state of anxiety and perturbation. Under these circumstances, I regret to say that the Government cannot accept the Amendment put forward by the right hon. Gentleman. We cannot admit his Constitutional arguments, and, as regards his financial arguments, we should be bringing about the very

*Mr. Goschen*

results which, from one point of view, he has deprecated, namely, that we should lessen the yield of the tax.

(3.50.) SIR W. HARCOURT (Derby): Sir, I am surprised that the right hon. Gentleman should object to the proposal of my right hon. Friend. Why does he propose to make this tax for a year only? That need not disturb the equanimity of the Chancellor of the Exchequer and his friends. He will always get the Solicitor General and the Law Officers of the Crown to advise him that a tax for the year is only a tax for the year. Or, again, that if you grant a licence for a year, and a year only, that is a licence for ever, and it cannot be allowed to drop without full compensation. Moreover, Sir Algernon West will go on collecting the tax as if it was a perpetual tax, because the doctrine of the Government is that to grant a licence for a single year—and why not a tax for a single year?—is a grant for ever. What Parliament says on the subject is immaterial. That is the view of the persons who administer the tax. The House of Commons may say the tax is for one year, but the Inland Revenue will go on, and the Chancellor of the Exchequer will say, I am entitled to compensation, and that compensation will be the continuance of the tax for ever. The Chancellor of the Exchequer will have the tax, no matter what limitation is placed on the tax by Parliament. If it is agreeable to hon. Gentlemen on this side of the House, I do not think the Chancellor of the Exchequer need trouble himself about the Statutory limitations. With regard to this tax, we are not allowed to state the reason why we vote it. That is a great difficulty. It is a difficulty which was felt in the ancient Roman processions, where certain busts were more conspicuous in consequence of their absence. And the objections to the way in which this tax is to be appropriated are more conspicuous in consequence of the ruling by which we are not permitted even to allude to them. But we cannot forget this duty is proposed for a particular purpose—a purpose of which I entirely disapprove, and which I shall oppose by every means in my power. The object for which this tax is imposed might be in itself an experiment. I will make the fictitious suggestion that a tax of this

kind might be appropriated to some Local Body, who must use it for a particular purpose. For that reason I should think it would be highly desirable that the House should have an opportunity of considering whether it would perpetuate that tax. And when we talk of limiting the taxes, remember what has been done with reference to other questions, both by this House and the other House of Parliament. Remember that the House of Lords passed the Ballot Act only for a limited time in order to retain the right of review of the question at some future period. If it is conceivable that this tax is to be appropriated under any circumstances to some experimental purposes, it is highly proper that the tax should be made for a limited period and not for ever. The right hon. Gentleman has rejected the Constitutional argument. I do not see that it ought to be lightly rejected, because, after all, what is the theory of having an annual tax as well as taxes which are passed for ever? It is that the House shall compel the Government to give a certain amount of money every year over which the House of Commons keeps control. Why should you diminish that fund? If you are depleting it in one direction you should fill it up in another. The taxes which up to this time have been kept in our hands, for the purpose of maintaining the control of the House of Commons, are diminishing in proportion to the whole Revenue of the country. I cannot see on what possible ground this objection can be sustained to limiting this tax. Sir, I shall certainly vote for this Amendment on that ground, and upon the ground also that I entirely disapprove of the objects to which this tax is to be applied. Of course, we shall have an opportunity of voting on the amount of the tax. Those who approve of portions of the tax must vote for its diminution by an amount which would cover the part to which they object. Though we are precluded from discussing the objects to which the tax is to be applied, I, for one, shall take advantage of every opportunity of resisting a tax which I believe is to be devoted to purposes of which I disapprove.

(4.0.) MR. SYDNEY BUXTON  
(Tower Hamlets, Poplar): The right hon. Gentleman has pointed out how hampered

we are because the Government in this Bill have mixed up two things which ought to be separate, and I must say the point raised by the right hon. Gentleman the Member for Wolverhampton is one which merits somewhat better and fuller treatment than it received at the hands of the right hon. Gentleman the Chancellor of the Exchequer. To some extent I agree with the Chancellor of the Exchequer. So far as the Constitutional question is concerned, involving the power of the House of Lords, I think we need not trouble ourselves about it, because, although the House of Lords are obstructive in many matters they are hardly likely in the future to tax the country, or prevent a tax being taken off; but I think there is great force in the remark of the hon. Member for Wolverhampton that this House ought to have every year the opportunity of voting a very considerable amount of the public taxation, in order, if necessary, to curtail the expenditure for which the taxation is voted. Unless there is this annual opportunity the House will have very little means of discussing the taxation of the country, except on occasions when a considerable number of alterations are made, as is the case this year. The Chancellor of the Exchequer said this is an absurd Amendment, as it only proposes to make annual a small proportion of the whole taxation; but I would remind the right hon. Gentleman that he himself has made this small proportion a special tax. It is because he has put it on a special ground, and applied it to a certain special purpose, to which many of us on this side of the House strongly object, that we think it right and fair that that small proportion of the taxation of the country should be put on a special basis and made an annual tax. I do not think that the right hon. Gentleman's argument that the whole of the great trade affected and the Revenue derived from it would be disturbed by this small proportion of the taxation being voted annually has much foundation in fact. I doubt if this taxation will be permanent whatever it is applied to, although when the Chancellor of the Exchequer says there is nothing to prevent the subject being raised every year, and a decision being taken as to whether the tax should continue, I

would reply that, as everybody knows, it is idle for a private Member to attempt to interfere with the taxation of the nation, except on the Budget Bill. Only once or twice in the whole history of this House has such an attempt been successful. Should a private Member raise a discussion on the subject of taxation before the Budget he would be told that it was premature to go into such matters, and the Government would decline debate, and should he wait until after the Budget he would be told: "Oh! you are too late, as the Government have decided upon their financial policy for the year." We object to the proposal to make this particular taxation permanent. I, for one, do not object to increased duties on spirits and beer, but I do object to the way in which the tax has been mixed up with a lot of other subjects. We object to the allocation of the tax, and we say that as it is thoroughly an experimental matter we are entitled to ask that, instead of its being made a permanent part of our fiscal system, and of our local finance, it should be voted annually, so as to give the House an opportunity of revising it, and—if it feels that this very wrong system of mixing up local and Imperial taxation should be put an end to—of abolishing it without having to introduce a special Bill.

(4.6.) Mr. T. M. HEALY: Considering that the Chancellor of the Exchequer is probably the ablest Gentleman who sits on the Conservative side, I am surprised at the reply he has given. He said, "I admit your whole case." ["No, no."] Well, I am putting it in my own way. He said, "I admit your whole case; but you have a remedy, for next year you can bring in a Bill to repeal the section." This is his argument. I admit you have this grievance; I admit we never intend to give Ireland Local Government, and that you will never have a chance of extinguishing public-house licences in Ireland; but you will be able to revise this tax by bringing in a repeal clause." Is that the policy pursued by the Tory Party themselves? Why, when the Leaseholders' Clauses were going through Parliament they limited them to two years. They did not say: "We will give the leaseholders this right for ever, but if we find there is reason for it

*Mr. Sydney Buxton*

we will bring in a repeal clause next year." And when the Labourers' Act was going through the House of Lords why did they limit it to three years? Why did they put 10 years in the Ballot Bill? Why did they not rely upon repeal clauses? Because they wished to have a more effectual instrument, and yet the Government ask us to relinquish that instrument—the principal instrument of the Tory Party. That is the way in which the House of Lords endeavours to bring reactionary pressure to bear upon the House of Commons. It arranges to bring these matters under discussion mechanically, by the procession of the equinoxes and annual meetings of Parliament. That is the Tory plan. It was you who invented it. You are the patentee of it—the right hon. Gentleman opposite is the successor in title to the patent rights of it, and yet, what does he offer us? Not the benefit of his own patent, but he says "You must take the initiative." We may do that—we may propose a repealing clause, and in will walk the First Lord of the Treasury to move this Closure—by the way, I am glad the right hon. Gentlemen is absent for a moment, for we can feel safe and know that we can speak a sentence without the Closure. To tell us that we can bring in a repealing clause next year is unworthy of the genius of the right hon. Gentleman, and the fact of his using such an argument shows that he has no argument whatever to bring forward. Let us have an answer to our case. The Chancellor of the Exchequer has given us none. The way to deal with our case is not to say "I admit all you say, but you have your repealing clause." Will the Government give us some guarantee that this money will be expended in Ireland in the same way that it is to be expended in England and Scotland? We know how it is to be spent in England and Scotland, and can talk about it, but so far as Ireland is concerned, a padlock is to be put on a considerable portion of it. Will the right hon. Gentleman give us a statement on the subject? He is now by himself on the Treasury Bench, uncontrolled by any other Members of the Cabinet, and now, as a Liberal Unionist, he can express his mind on the question of Local Government for Ireland without Conservative discount. We would accept

a statement from him conveying the ordinary information that Englishmen and Scotchmen expect to get when a proposal as important as this is before the House.

(4.14.) MR. DILLON (Mayo, E.): It would be difficult to exaggerate the inconvenience of the proposal the Government are making in asking the Committee to pass this tax. In 1888, when the present Chancellor of the Exchequer was making his proposal to relieve the county rates at the cost of the Imperial Exchequer, he said—

"I ought to add that I propose to introduce the horse tax and the wheel tax in a separate Bill, because they do not really affect the Imperial Budget at all."

That is the course which commended itself to the Chancellor of the Exchequer in 1888, and I venture to submit to the Committee that it is the course he ought to adopt on the present occasion. We are asked to grant an increase of 6d. in the Customs Duty on spirits, and, personally, as an Irish Member I should have no objection to the tax if the money were required for a good purpose. I should not care if the duty on foreign spirits were increased 6s. or 7s., but I object to the clause which would increase the tax on home spirits, and I think it a most extraordinary thing to make the Committee vote a tax in an Imperial Budget which is not to be used for Imperial purposes.

THE CHAIRMAN: The Amendment before the Committee is an Amendment limiting the tax for one year, and the observations of the hon. Member are hardly germane to that or to the subject of the clause.

MR. DILLON: I will postpone my observations until the other clause is before the Committee.

(4.16.) MR. CONYBEARE (Cornwall, Camborne): It is immaterial to me, as representing a constituency in this House, whether the tax on spirits is 6d., 6s., or £6, but I do strongly object to the proposal of the Government, on certain grounds, and, therefore, I heartily support the Amendment. In my opinion all taxation ought to be limited to one year—that is to say, we should not be put to the necessity of bringing in repeal clauses, but power should always be reserved to the representatives of the people to continue the taxes, which is a more simple and

easy process. The Income Tax was originally a temporary expedient, but it has been continued for so many years that now it has come to be regarded altogether as a permanent form of taxation. It has been impossible to get rid of the tax, despite this power of moving repeal clauses, and this shows how ridiculous it is to suppose that if this extra 6d. on spirits is once granted it will ever be got rid of. But on broad Constitutional grounds we have a right to oppose this proposal on account of the way in which it is put before us. Our tongues are tied as to the object to which it is intended to devote the tax; although everybody knows what that object is. The manner in which the question is submitted to the House is a specimen of political dodgery which I hope we may never be doomed to witness in this House again. There was nothing said in the Bill we passed last night as to the form of this taxation. There is nothing whatever said in this Bill as to the licences, and it is very well understood that a portion, at any rate, of the taxation with which we are now dealing is intended to be applied in extinction of licences. This crooked method of dealing with the taxation of the country is, I may say, characteristic of the crooked behaviour of the Government in everything they have undertaken. The Government insist on making this a permanent tax. They seem to consider that they have a permanent tenure of that Bench. I think that the result of the elections which will shortly take place, will disabuse them of that idea, and that their successors in Office will rapidly put an end to whatever element of permanence there may be in taxation of this kind. We have heard of consumptive patients being endowed with a longing for, and a belief in, the extension of life, and the consumptive occupants of the Treasury Bench seem to be possessed of a similar insane hope that their lives may be indefinitely prolonged. I support the Amendment of the right hon. Gentleman the Member for Wolverhampton, because it seems to me to be the best expedient we can adopt for staving off what we regard as a grave evil. I object to the proposal of the Government on another ground. As they are going to impose this taxation on the people of Ireland without granting



them that redress in the form of local institutions which they have every right to demand, and which we hope ere long to be able to grant them, it is all humbug for us to talk about "freely and voluntarily" resolving to give these supplies. If they are given at all, they are wrung from us. I see, Mr. Courtney, you are shaking your head, and, as I do not wish to put you to the trouble of rising, I will postpone the further observations I have to make on this portion of the subject until we come to discuss the Preamble. As there will be other opportunities of expressing ourselves on this political scheme of ducks and drakes, which is so characteristic of the right hon. Gentleman the Chancellor of the Exchequer, I will only say, in the words of the Anti-Jacobin's Friend of Humanity to the needy knife grinder: "I give thee sixpence? No, I'll see thee damned first."

(4.25.) MR. LABOUCHERE (Northampton): My right hon. Friend (Mr. H. H. Fowler) asks that this tax should only be imposed for one year. If his proposition be rejected, and the tax be imposed by Act of Parliament, we, as the guardians of the public purse, entirely part with our right to say when it is to cease. An Act of Parliament must receive the assent of the House of Lords. At the next General Election, every man in England, Wales, Ireland, and Scotland, may be opposed to this tax, with the exception of 600 hereditary legislators; there may be a majority in this House against the tax, and yet it will continue unless the House of Lords agrees to its discontinuance. The Chancellor of the Exchequer says there is already a tax of 10s. per gallon on whisky, and that he is only applying to the extra 6d. the system which is adopted in regard to the 10s. I am only sorry that that system has been applied to the 10s.; but, if we have not taken care of the pounds, there is no reason why we should not take care of the pence. The question is, "Are we to part with the control of this tax, or not?" I say our duty to our constituents obliges us to decline to part with it, and I hope we shall this evening establish a precedent for annual taxes being only imposed annually.

MR. T. M. HEALY: If the Government will not give us a reply—

*Mr. Conybeare*

\*MR. GOSCHEN: I have no wish to be discourteous to the hon. and learned Gentleman. I could not enter into the hon. Member's arguments without transgressing the ruling of the Chair. The hon. and learned Member will have further opportunities of discussing the application of this measure to Ireland.

MR. T. M. HEALY: When?

\*MR. GOSCHEN: When we come to the other Bill.

MR. T. M. HEALY: It is not in the other Bill. There is no provision whatever in regard to Irish licences in the other Bill.

\*MR. GOSCHEN: But Irish licences are not the only things in point. There are other provisions respecting Ireland in the other Bill. The Government will consider the suggestion, with every desire to accept it, that Corporations in Ireland should deal with licences in the same manner as Local Authorities deal with them in England.

(4.30.) MR. CHILDERS (Edinburgh, S.): The Chancellor of the Exchequer has not quite correctly stated what was proposed as to the increase of the duties in 1885. In the case of the Beer Duty, an appeal was made to me only to enact the increase for one year, and I complied with that request. I do hope that, after the strong appeal which has been made by my right hon. Friend (Mr. H. H. Fowler) and other Members, the Government will allow this provision to be only for one year. That will be very much more in accordance with precedent than the proposal of the Government.

(4.33.) MR. PARNELL (Cork): I think that the attitude of the Government, having regard to the history of this question, is a particularly mean one. I exempt the right hon. Gentleman the Chancellor of the Exchequer (Mr. Goschen) personally from this censure, but I do not exempt several of his leading Colleagues, and especially not the Chief Secretary (Mr. A. J. Balfour). In 1885 the leading Ministers canvassed us personally for our votes in the Lobbies of this House on a question precisely similar to this. It was a proposal by the then Liberal Government to increase the Spirit Duties, and we were canvassed for our votes against that Government on the ground that this was an unjust proposal to Ireland. Now that the present Government have got into Office, as a

consequence of our assistance, they propose to inflict precisely the same injustice. There is a well recognised custom that one Government is bound by the acts of its predecessors; but it seems to be true that no obligation of honour is incumbent upon an English Government in its dealings with Ireland and in its conversations with Irish Members. We are told that some day or other this money will be handed over to the Irish Local Boards, which are to be established, I suppose, when pigs begin to fly. I have been hearing of the imminence of the establishment of the Irish Local Government for the last 15 years, and it has not come any nearer. I do not believe—although it may seem like a bull—that it is as near to-day, as far as the action of the House goes, as it was 15 years ago. I do not believe an Imperial Government is ever destined to pass a Local Government Bill for Ireland. You came into Office in 1885 upon the leading cry of the establishment of Irish Local Government, and after more than three years of Office the subject is still relegated to the dim and distant future. What guarantee have we got that just as the pledged word of leading Cabinet Ministers, given to us in 1885, that the increase of the Spirit Duty in Ireland was an injustice, has been broken to-day, the word of the right hon. Gentleman the Chancellor of the Exchequer, when the time comes for the redemption of his promise to the House, will not be broken by his successor? We have no guarantee, and it would be absurd for us to rely on the lasting character and binding force of any statements made by any English Minister with regard to Irish Members beyond the day after to-morrow.

\*MR. GOSCHEN: To what promise does the hon. Member allude?

MR. PARNELL: I allude to the declaration which a Cabinet Minister—a gentleman who now sits beside the right hon. Gentleman—made to us in 1885, as a consideration for our votes, that the increase of the Spirit Duty was a gross injustice to Ireland. The same right hon. Gentleman is now going to support this injustice to Ireland. This money is going to be passed to what is called an account. There are many purposes in Ireland to which this money might be devoted, purposes of great

utility, and for the benefit of the people, purposes which would not excite any controversy in the House. The amount paid per head by the Irish people vastly exceeds the amount paid per head by Englishmen, Scotchmen, and Welshmen; and we, the poor country, are not to be allowed to have the immediate benefit of the taxation. We are told it will be given to us some time or other, when Local Government Boards are established in Ireland. The imposition of extra taxation on whisky or spirits in Ireland is a fraud upon the tax-paying portion of the community. The plea that it is going to promote temperance is absurd. I am convinced that one of the great causes of drunkenness in Ireland, leading to crime and disaster in that country, is the excessive tax upon alcohol. The necessity arises, as a consequence of its high price, to dilute it with foreign spirit of a most pernicious and maddening character.

THE CHAIRMAN: Order! I must point out to the hon. Member that the question now before the Committee is the limitation of the taxation to one year. The hon. Member's observations are directed against the clause as a whole.

MR. PARNELL: I understand perfectly that I have probably exceeded the limits of proper criticism upon this particular Amendment, and I will not continue that line of argument, though I am sure you will pardon me if I point out that, after all, the matter is a question of degree. I will only add that I think we have established a strong claim for the consideration of this Amendment, and that when the time comes to discuss Amendments following this one, more immediately applying to Ireland, I hope we shall have some more satisfactory declaration from Her Majesty's Government than we have had up to the present.

(4.45.) THE CHIEF SECRETARY FOR IRELAND (MR. A. J. BALFOUR, Manchester, E.): The hon. Gentleman has made certain observations that did not strike me as being particularly relevant, but directed personally against myself. He said a Cabinet Minister—

MR. PARNELL: I did not allude to the right hon. Gentleman as being that Cabinet Minister. I alluded to the right hon. Gentleman as being one of those who took part in the combination with us to throw out the Government.

**THE CHAIRMAN:** Order! It is very irregular to enter into this discussion.

(4.46.) **MR. T. M. HEALY:** The Chancellor of the Exchequer has, I admit with considerable courtesy, answered one point I made as to the allocation of the money, but he has not dealt with another. As I understand your ruling, Sir, we were debarred from discussing the allocation of this money on the last Amendment on the ground that the matter is dealt with in a separate Bill. I understand that ruling as regards England and Scotland; but, as regards Ireland, I submit the ruling cannot apply, because Ireland is not within the licensing scope of the Bill. The Government say that if we allow the Bill to pass they will not allocate the money as regards so much as can be spent by the 11 great Corporations — Dublin, Belfast, Limerick, Galway, Wexford, Cork, Waterford, Derry, and others. Are you going to divide the money into two chests, a chest for the towns and a chest for the country? We must press on the Government the reasonableness of the suggestion which I made to them yesterday in all good faith. This Budget Bill is non-contentious, except so far as the Whisky Duty is concerned; and I suggest that you should take out of this Bill the foreign and exotic clauses, and put them in the Probate Duty Bill, which we can discuss. I trust the Government will relieve us from the extraordinary embarrassment in which we now find ourselves. We are told that, as regards particular Corporations in Ireland, the money is not to be allocated. How soon is the money to be unlocked with regard to the country? When are our people to get the benefit of the money? I urge the Government, who are so anxious about Constitutional ways, about following the ways of our forefathers and our grandmothers, to relieve us of the embarrassment by cutting the four clauses in question out of this Bill.

\*(4.52.) **MR. A. J. BALFOUR:** Let me remind the Committee that machinery does not exist in Ireland for administering the money in the same way as in England. There are only three possible alternatives open to us. We may say that the money is not to accumulate, and that Ireland is not to have it at all. We may say that it shall accumulate until County Councils are established in Ire-

land. Or we may say that the money shall be spent by the existing authorities. Through the mouth of the Chancellor of the Exchequer the Government have expressed their readiness, if hon. Members opposite press for it, to take advantage of the existing machinery in Ireland, so far as the Municipalities are concerned. Do hon. Gentlemen wish us to go further, and to hand over the money to the Grand Juries or to the Poor Law Authorities?

(4.54.) **THE CHAIRMAN:** I had better point out how the matter stands as a point of order. In this Bill there is a section for the imposition of a tax. There is a subsequent clause which divides the proceeds of the tax between England, Scotland, and Ireland in certain proportions. In another Bill provisions are made for the distribution and application of the money so divided. On this Bill it is competent to discuss the propriety of the imposition of the tax, and the equity of the division of the tax between England, Scotland, and Ireland. On the other Bill it is competent to discuss the particular purposes and objects to which the money so distributed is to be applied. And I would point out to hon. Members that if the clauses of this Bill were transferred to the other Bill, so as to make one Bill, it would be improper, on the clauses now under discussion, to anticipate what would be the result of the clauses subsequently to be discussed, namely, the clauses relating to special objects to which ultimately the money is to be applied.

(4.56.) **MR. DILLON:** After the Chairman's ruling, I ask the Government whether it would not be better to withdraw these clauses from the Budget Bill? Is it not competent for the House, when called upon to vote a tax, to debate the propriety of voting the tax at all? How is it possible to discuss the advisability of raising an additional tax if hon. Members are debarred from considering how the tax is to be spent? The uncertainty of the proper administration of the tax is one of the main considerations connected with it. The Government will prevent a great waste of time by withdrawing the clauses from the Budget Bill, as the ruling of the Chairman has clearly recommended.

\*(4.58.) **MR. H. H. FOWLER:** The Chairman's ruling emphasises the posi-

tion we have taken up. Our condition is being reduced to one of practical absurdity. The Government wish to pass their Budget Bill, and if they withdraw from it these clauses they can get the Bill passed into law before the Whitsuntide Recess. But if they persist in bringing into one Bill what belongs to another there will be found means, notwithstanding, by which the House will be able to ascertain the object of this imposition.

\*(4.59.) MR. GOSCHEN: I am surprised that the right hon. Gentleman did not notice that portion of the Chairman's ruling which stated that even if these clauses had been transferred to the other Bill it would have been impossible on these clauses to debate the purposes to which the money was to be devoted. Nothing is more plain, from the ruling which has been given, than that the same difficulty would have arisen even had the clauses been included in the other Bill. The prospect held out to us is conveyed in a threat that, unless we fall in with the suggestion which we have three or four times refused, we shall not get the Bill passed before Whitsuntide. We have expressed our opinion, but the right hon. Gentleman returns to the charge. We do not see our way to change our proposals, and when the right hon. Gentleman reminds me of what happened two years ago, I would point out this further distinction, that this additional £d. belongs to the tax upon spirits as a whole; it is essentially a Customs and Inland Revenue Tax, it naturally takes its place in this Bill, and falls within the Customs and Inland Revenue regulations for administrative purposes, it is altogether different from the Horse Tax.

(5.0.) MR. T. M. HEALY: What the right hon. Gentleman the Member for Wolverhampton said had reference to the effect of your ruling, Sir: If these clauses were transferred to a separate Bill, then long before we reached them the whole question would be discussed, the principle decided, and the clauses would be readily disposed of. This is really a matter of public convenience upon which the First Lord is not usually unreasonable. If he takes the course we suggest, it is obvious that when the clauses are reached in another Bill, the whole financial question will have been

discussed, and to raise the discussion again would be flogging a dead horse. As it is now, we are naturally bubbling over with indignation which cannot find vent in discussion. We can only ramble round the subject, and such is the imperfect character of the human mind, we are tempted to hit a head wherever we see it. We object to have excluded from our consideration the object of this money, whereas if we could discuss and settle that the rest follows as mere matter of detail. Having conceded so much we may well ask the Government to go a little farther. A week ago they agreed to the reasonable suggestion to postpone the clauses until after the Second Reading of the other Bill; what difficulty is there now in postponing them until the Committee stage is passed? It will not relax the grasp of the Government on the principle of the Bill; no one will regard this concession as a victory for the Temperance Party. We are anxious to treat the matter regularly. I trust the Government will see their way to accept the suggestion put forward in no desire to hinder or embarrass them, but simply because of the intolerable position in which we find ourselves, which is both novel and inconvenient. There is a branch of the embarrassment of our position in the remarks of the Chief Secretary. He puts to us alternatives, that we shall give this money to the existing Borough Authorities, and let the amount for the County Authorities be suspended, or that it should be handed to existing authorities, Poor Law Guardians and Grand Juries. Well, of course, he was not serious in suggesting that we should accept the Grand Juries. Take the Grand Jury for the County of Dublin, and contrast it with the Corporation in the City of Dublin, which a Committee sitting upstairs commends for its moderation and efficiency. Would it be tolerable that simply crossing the bridge we should pass from the jurisdiction of the Corporation to that of the Conservative gentlemen who represent the County Grand Jury? Before we can address ourselves to the suggestion as to Boards of Guardians, we must have a little time for consideration. The Government are putting the cart before the horse; first, they are asking us to vote the money, and then they are going

to say who it shall be voted to. It is a friendly and non-partisan suggestion that the Government should first decide upon the body to whom this fund should be entrusted, and then equip them with the financial means for discharging the duty imposed upon them. Unyoke this financial horse from its present unnatural position, and let your team proceed in proper Parliamentary fashion. We shall then get through this Committee this evening. Those who pay the piper should call the tune, but you call upon us to vote the money not having a voice in its disposal. Have the Government no plan in regard to Ireland? We do not know whether they look to Boards of Guardians or Grand Juries as the authorities.

\*MR. A. J. BALFOUR: The hon. and learned Gentleman is quite mistaken; the plan of the Government is perfectly definite, and if it is to be modified, it is in deference to the opinions of hon. Gentlemen opposite.

MR. T. M. HEALY: But we have expressed no opinion, we have no opportunity to open our mouths. I have carefully guarded myself from expressing any opinion except as against Grand Juries. And yet, we have the right hon. Gentleman saying that, owing to an accident, he is unable to put before us the scheme of the Government Bill. Now, he says it is modified in deference to our opinion. You have had long experience, Sir, as Chairman; but I am sure you have never known such a "kettle of fish" as this. I appeal to the First Lord, who is always so anxious for the business of the House and the interest of the country, to get up and say he will accept this reasonable and business-like suggestion.

\*(5.10.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I answer the appeal by reminding the hon. Gentleman and the Committee that last week an appeal was made to the Government to postpone these clauses until the Second Reading of the other Bill. We thought that the appeal was a reasonable one, and we conceded it. At the time, however, I expressed the view that by conceding it there was an implied understanding that no obstruction should be placed in the way of the Bill. The right hon. Member

*Mr. T. M. Healy*

for Mid Lothian said that so far as he was concerned he would be no party to what might properly be called obstruction. Well, I do not know how that phrase might be interpreted; but, for myself, I hold it to be an engagement on the part of hon. Members opposite when they asked for the postponement of these clauses that they should afterwards be considered as part of the financial proposals of the Government, when a particular period had been reached. We have reached the appointed period; the decision of the House has been given upon the other Bill. These clauses cannot now be treated in the way proposed without serious inconvenience. Taxes are being levied, and legislative sanction must be obtained. The principle of the proposals of the Government having been affirmed, we must now ask the House to pass the clauses as they stand.

(5.15.) SIR W. HARCOURT: I must distinctly disclaim the existence of any such implied understanding as the right hon. Gentleman has alluded to. The right hon. Member for Newcastle clearly stated that no such understanding would be given. After the Government had agreed to postpone the clauses he intimated that they would be resisted by all means in their power, and I urged the Government to transfer them to another Bill. I remember perfectly the phrase I used. I said, if you do not "the wheels of your Budget Bill will drag heavily." Not only was no such understanding accepted, but it was distinctly repudiated, and I gave distinct warning against keeping these clauses in the Budget Bill.

\*MR. W. H. SMITH: I spoke of what was said by the right hon. Gentleman the Member for Mid Lothian.

SIR W. HARCOURT: My right hon. Friend spoke before and not after the circumstances to which I have alluded, because it was in answer to what the right hon. Gentleman the First Lord said at the end of the evening, which was a distinct invitation to us to give a pledge. No such invitation was extended to my right hon. Friend the Member for Mid Lothian, who said no more than he would not offer unreasonable opposition to these clauses. Well, the question is whether this opposition is reasonable or not. In my opinion the

opposition offered is perfectly reasonable. What is the course the Government are taking? In his Budget speech the right hon. Gentleman spoke of this tax as a separate and distinct local Budget. He severed the one from the other, and the natural consequence is that there should be a separate Bill dealing with local as distinguished from Imperial taxation. The right hon. Gentleman has himself set an example by the manner in which, two years ago, he dealt with a local taxation proposal. Therefore it is perfectly reasonable that we should ask the observance of this principle. The right hon. Gentleman the First Lord says the principle was decided last night. What principle? Questions are raised that had no decision last night. The Irish Members have raised, or wish to raise, questions which could not have been raised on the Second Reading, and which have not been settled by that Division. We are asked to vote something like £1,500,000, without being allowed to open our mouths as to the manner in which the money is to be applied. The House of Commons would be unworthy of all its predecessors if it allowed itself to be forced into such a position. The House of Commons has never allowed itself to be so fettered. You may talk of obstruction if you like, but depend upon it people inside and outside will thoroughly understand the grounds we take. We take our stand on this—that the Government are engineering their Bill so as to prevent the objects of the tax from being discussed—engineering it cleverly, ingeniously, and cunningly, and gagging those who wish to discuss the Bill. While they are trying to smuggle this Bill through, they put the muzzle on every man who desires to discuss the tax. We shall resist the Government to the best of our ability. That is a plain and distinct issue. You may denounce us for obstruction if you like; you are perfectly welcome, but if we can help it, the Government shall not get £1,500,000 while they are manœuvring to prevent the tax being discussed. You may use the Closure if you like. Yes, use it to take the taxpayers' money. If that does not condemn you and the Closure, I do not know what will. I invite you to put the Closure on this tax; it will be the first time it has been used for such a

purpose, and I am perfectly willing to take the judgment of the country on the proceeding. Our course is perfectly clear. We shall either discuss this tax or oppose it. If we hear from the Chair that we cannot discuss it, then we must use every means to prevent it passing into law.

\*(5.25.) MR. GOSCHEN: Allusion has been made to what happened when the right hon. Gentleman (Mr. Gladstone), who is not now in his place, unfortunately appealed to us to postpone these clauses until after the decision of the House on the Second Reading of the Local Taxation Bill. The spirit of the arrangement made with the Member for Mid Lothian was, that if we postponed these clauses till after the other Bill had been read a second time, then the clauses would be proceeded with. ["No, no."] I am not talking of Gentlemen below the Gangway, but of the Colleagues of the right hon. Gentleman the Member for Mid Lothian, who I should suppose would be bound by the spirit of that engagement. If it had been on the mind of the right hon. Gentleman the Member for Mid Lothian that, after the passing of the Second Reading of the other Bill, he would oppose the discussion of these clauses, he would have told us so in advance. In the first place, having postponed the clauses until the decision or principle has been given by the House, now you ask us to transfer these clauses to another Bill.

SIR W. HARCOURT: I said so at the time.

\*MR. GOSCHEN: Not then, but after the right hon. Gentleman the Member for Mid Lothian had left the House. I remember perfectly well the remarks made by the right hon. Gentlemen the Members for Derby and Newcastle when the right hon. Gentleman the Member for Mid Lothian was no longer in his place. I admit that an uncomfortable feeling was awakened by the language used, but I think the right hon. Gentleman would have been more candid if he had intended, after we had made our concession, to prevent discussion upon these clauses.

SIR W. HARCOURT: All we ask is to discuss them.

\*MR. GOSCHEN: I cannot see how that is, when we are asked to withdraw them. We are trying in this matter to

carry out our engagements, into which we were led by the Member for Mid Lothian, who induced us to withdraw the clauses at the time. The right hon. Gentleman the Member for Derby says the House is for the first time asked to vote taxes without knowing to what purpose they are to be applied. But two years ago, in a Bill which handed over a portion of the Probate Duties, we had a precedent for what is now being done.

MR. T. M. HEALY: But you propose a new tax.

\*MR. GOSCHEN: That does not touch the principle. The principle is the application of money raised by the Budget Bill to purposes which are not mentioned in the Budget Bill. That is the principle on which we are proceeding, and the precedent I have mentioned shows that the right hon. Gentleman (Sir W. Harcourt) is wrong in saying that there is any Constitutional innovation in our present proceeding. I hope, looking at what has occurred, the Committee will not take the extreme course to which the right hon. Gentleman invites hon. Members. I think we have carried out our part of the bargain. It is said a gag has been applied, but, at all events, it has not been very effective, for one way and another there has been a considerable amount of discussion. The object in view in the postponement of the clauses was that we might settle in the first instance whether the proposal is a reasonable one. The principle has been accepted, and now I hope it may proceed in the manner we were encouraged to do after the Second Reading of the Bill.

(5.30.) MR. PARNELL: Whatever force there might have been in the contention of the right hon. Gentleman that hopes were held out from the Front Opposition Bench that these clauses would be proceeded with after the Second Reading of the other Bill, that force has been entirely destroyed by the declaration which the right hon. Gentleman and the Chief Secretary have made to-day with regard to the application of a part of this money to Irish purposes. What was our position with regard to these Resolutions? Up to the date of these declarations we have been forbidden to discuss these Resolutions with regard to their application to Ireland at all, either

*Mr. Goschen*

on the present Bill or on the previous Bill, the Second Reading of which was passed last night. As a matter of fact, no Irish Member spoke in the discussion of last night; we should have been most properly and justly ruled out of order if we had introduced Irish grievances in the discussion of last night, because the Bill did not relate to Ireland so far as this particular branch of the subject is concerned, namely, the granting of this money to the Local Authority to be hereafter established for the purpose of buying out certain publicans. To-day the Chancellor of the Exchequer and his Colleague the Chief Secretary have said they will endeavour to devise some plan by which the money reserved hereafter for Ireland may be immediately spent. Now, again, we are in the same predicament; we cannot discuss the question of the application of this money for Irish purposes on these clauses; neither can we discuss it upon the other Bill, as there will be nothing in it when it comes on. Surely common sense should suggest to the Government the proper course to pursue in view of their own declarations.

\*MR. A. J. BALFOUR: I am sorry to interrupt the hon. Member, but he is entirely mistaken. From the beginning the Government have said that the plan embodied in the Bill, which does refer to Ireland, was that the money should accumulate until it could be handed over to Local Authorities.

MR. T. M. HEALY: When and where was that said?

THE CHAIRMAN: Order, order!

\*MR. A. J. BALFOUR: An appeal was made to the Government to modify that plan in favour of existing Municipal Authorities, and, in order to meet what the Chancellor of the Exchequer believed was the wish of hon. Gentlemen opposite, the right hon. Gentleman said he would consider that appeal in a favourable spirit.

MR. PARNELL: Surely the right hon. Gentleman must see that, having made that proposal, not out of regard for our desires, but out of regard for the wishes and feelings of the Orange publicans of Belfast—

\*MR. A. J. BALFOUR: Entirely in deference to hon. Gentlemen opposite.

MR. PARNELL: The right hon. Gentleman must surely see it is abso-

Intely necessary that, before we go on with the discussion on the allocation of this money under the present clauses, we should know what is to be done with the money, and we should see the clauses of the Government.

\*MR. A. J. BALFOUR: We do not need any new clauses. You show us your proposals.

MR. PARNELL: That is a fresh proposition altogether. If I were in the enjoyment of a salary of £4,500 a year as an Irish Minister there might be some reason for such an appeal as has been addressed to me; but it is rather too much for the right hon. Gentleman to put upon me, as a private Member of the House, the onus of preparing a plan for the Government, in order to extricate the Government from the difficulty they have brought upon themselves. We are in this position: The right hon. Gentleman tells us he desires to meet the feeling of the Committee that Ireland should be placed in the same position as England so far as he reasonably can; and then the right hon. Gentleman asks me to prepare a plan. It is the duty of the Government to submit a plan, to reduce it to clauses, and to place it upon the Notice Paper along with the other Amendments. When the House of Commons is in possession of this information we may reasonably be called upon to proceed with the discussion of the clauses now under consideration. Until this has been done I submit that common sense, expediency, economy of public time, and Constitutional practice demand the withdrawal of the clauses.

(5.37.) SIR W. HARCOURT: As a matter of personal explanation, I desire to meet the charge of the Chancellor of the Exchequer that, in the absence of the right hon. Member for Mid Lothian, I have gone contrary to the speech of that right hon. Gentleman in the former Debate, and have broken the pledge that he gave. I should like to read what happened from the Official Report. I said in Committee on Thursday, the 8th instant, that I was glad to hear so conciliatory a statement from the Chancellor of the Exchequer, who—

“Would best facilitate the passing of the Bill if he withdrew from it the Compensation Clauses and put them in the other Bill, to which they properly belonged. The reason for putting all the taxes into one Bill only applied to taxation for Imperial needs.”

I added—

“In this instance you are raising a tax for local purposes, and surely the more logical and sensible course is to raise your tax in the Bill which appropriates it. If you do that you will get your Budget Bill through without delay, because it will not be tied up with the compensation controversy.”

I was followed by the First Lord of the Treasury, who said he would be very glad to meet the suggestion of the right hon. Gentleman, but the Government must adhere to the plan they had adopted. He added, however, that they were prepared to postpone the consideration of the clauses until after the Second Reading of the Bill which appropriated the money, and he hoped that proposal would recommend itself, because after the question had been fully discussed on the Second Reading hon. Members could not wish to raise the same discussion immediately afterwards. Here is the answer of the right hon. Member for Mid Lothian—

“I am totally at a loss to understand why these clauses should be included in the Tax Bill. I cannot understand why they should not be included in a separate Bill. Still, I thankfully accept the postponement of the clauses. I certainly shall be no party to any merely obstructive dealing in any stage of business. The separation of the clauses would, I think, be the best solution.”

Then, at the end of the evening, my right hon. Friend the Member for South Edinburgh quoted what the Chancellor of the Exchequer said in 1888, when he proposed “to introduce the Horse Tax and Wheel Tax in a separate Bill, as they did not affect the Imperial Budget at all,” and suggested the adoption of a similar course now. Thereupon the Chancellor of the Exchequer said that to follow the course suggested would necessitate the moving of a fresh Resolution, a First and Second Reading, and a Committee, and wishing to do business as shortly as possible, the Government thought they were pursuing the best course. Thereupon I said—

“If the Government take the course which my right hon. Friend suggests they may pass their Budget Bill to-morrow. On the other hand, if these matters of compensation, which are hotly contested, are introduced, the Government cannot complain if the wheels drag heavily. It is impossible, if they keep the postponed clauses in the Bill, to avoid delay, because the proposals are regarded with great anxiety in the country, and must necessarily lead to prolonged discussion.”



I venture to say that this is entirely in accordance with what the right hon. Member for Mid Lothian said earlier in the evening. That, at any rate, is my opinion. I cannot see any inconsistency between the course I have taken and that laid down by the right hon. Member for Mid Lothian. Is it fair to state, is there any foundation for stating, that the Government had no distinct notice that if these clauses remained in the Bill they would be discussed at full length, and that it would lead to delay, because these proposals are regarded with anxiety in the country. I should be extremely sorry to believe that I lay justly under the imputation of having misled either the Government or the country. I again urge the Government to remove these clauses in another Bill.

THE CHAIRMAN: Order, order! I must once more point out to the Committee that the Amendment before it is the limitation of the tax to one year.

\*(5.44.) Mr. WILLIAM HENRY SMITH rose in his place, and claimed to move, "That the Question be now put"; but the CHAIRMAN withheld his assent, and declined then to put that Question.

Debate resumed.

\*Mr. W. JOHNSTON (Belfast, S.): I only wish to say I object to the manner in which the hon. Member for Cork has spoken of the "Orange publicans." Two-thirds of the publicans of Belfast are Roman Catholics. Rev. P. Convery swore, before the Sunday Closing Committee, that the trade of a publican was the only one in Belfast open to Roman Catholics.

Mr. PARNELL: I beg the hon. Member's pardon. I did use the words improperly; but I corrected myself, perhaps not audibly enough, by substituting the Orange Corporation of Belfast.

(5.45.) Mr. T. M. HEALY: Would it be in order, if the Amendment were withdrawn, to move again the postponement of the clauses?

THE CHAIRMAN: I do not see how they could be postponed again. They are the only clauses now remaining.

Mr. T. M. HEALY: There is another clause to be proposed by the Chancellor of the Exchequer.

THE CHAIRMAN: No doubt in that case the clauses might be postponed until after the consideration of the new clause.

*Sir W. Harcourt*

(5.46.) Mr. STOREY (Sunderland): I should like to take the ruling of the Chair on a point of order. On Thursday last the right hon. Gentleman the Member for Mid Lothian, referring to what I had said, remarked—

"The contention of my hon. Friend is that the House ought to be allowed to sift, and discuss, and consider the purposes of a tax before they voted."

What I want to know, on the point of order, is, whether we are now to understand, after the Second Reading of the other Bill, that we are in exactly the same position as on Thursday. Are we bound to vote this tax without being able, in the words of the right hon. Member for Mid Lothian, to sift, and discuss, and consider the purposes of the tax?

THE CHAIRMAN: In the meanwhile there has been a discussion on the Motion for Second Reading. I am not responsible for the limited form which that discussion took, but in that discussion these subjects could have been discussed. I am bound to point out what seems to be imperfectly appreciated, that if these clauses were transferred to the other Bill the discussion would be of the same character. There would be a discussion on one clause on the imposition of the tax, another on the clause for the distribution of the tax between England, Scotland, and Ireland, and a third on the manner in which the tax is to be allocated to the Local Authorities.

(5.47.) Mr. W. HARCOURT: Would it not be in order to move the further postponement of these clauses until Committee on the other Bill. If the House were satisfied, in that Committee, with the arrangement for dealing with these taxes, they might be willing then to vote this tax. This would be the wiser course to take.

(5.48.) THE CHAIRMAN: I do not see how the clauses could be postponed; but, of course, it would be competent to move to report Progress, and for the House afterwards to decline to resume consideration of the clauses until a future time.

\*(5.49.) Mr. H. H. FOWLER: If these clauses were transferred to the other Bill, would they not be in the nature of new clauses, and consequently have to be postponed until after the other clauses?

THE CHAIRMAN: That is so.

(5.50.) MR. T. M. HEALY: I beg to move that you report Progress, and ask leave to sit again, and I do so on these grounds: that for the first time we have to-day been informed by the Government as to what their intentions are in regard to Ireland. Yesterday we were unable to discuss the case as it affected Ireland. I assert, without fear of contradiction, that if any Irishman had attempted to discuss the question of the extinction of licences by means of money to be raised under this Bill he would have been ruled out of order.

\*MR. A. J. BALFOUR: No; the only question which would not have been relevant was that of the non-granting of new licences.

MR. T. M. HEALY: I entirely dispute that proposition. Hon. Members opposite may interrupt me by—

THE CHAIRMAN: Order! order! The hon. Member will address himself to the Chair. He will be protected from improper interruption.

MR. T. M. HEALY: We now hear for the first time that the money is to be handed over to the Corporations. What Corporations? Those of Derry and Belfast, on which there is such a high franchise as to exclude all Catholics, and yet the trade is mainly in the hands of Catholics. If it is good to extinguish licences in Ireland we must know who is going to do it. The right hon. Gentleman said a moment or two ago that an appeal was made to him for this concession from these Benches. I reply that no appeal was made by us to the right hon. Gentleman. We asked a question. I know that a bargain has been struck with Sam Black, the Orange Town Clerk of Belfast—

\*MR. W. JOHNSTON: He is not an Orangeman at all.

MR. T. M. HEALY: As the hon. Gentleman thinks that the word Orangeman conveys an offensive imputation I will withdraw it. We know that the bargain has been struck with Mr. Sam Black, and that he came over here from Belfast at the behest of the Corporation, and was introduced by the Member for Mid Armagh to the Government; and I challenge the Government to answer this, whether they, behind the backs of 86 Irish Members—they, the heroes of the Spirit Resolution of 1885, who ejected the Liberal Government because of the

Whisky Tax—whether they have not made a compact to deal with this extra 6d. behind the backs of the Irish Members with Sam Black and the Member for Mid Armagh? The right hon. Gentleman says that an appeal was made to him. What fools we should be to appeal to him! What appeal of ours was ever heeded by the right hon. Gentleman? We should as soon think of appealing to the stones in Westminster Hall. The right hon. Gentleman says there has been an appeal made to him, and that he will give the Corporations these powers. I should like to know what Corporations these are, under what franchise they are elected, and by what means this franchise is to be exercised? The 86 Irish Representatives are asked to vote for a tax on the principal commodity produced in Belfast and Dublin without knowing in the least degree by what legerdemain the money is to be spent. We do not know whether Sam Black is to have it, or who is going to have it; and, under these circumstances, the only thing I am able to discuss is the Motion to report Progress. I certainly think no Motion to report Progress was ever made with more justification. Ireland has been treated with chicane in this business. The Irish Representatives have been deceived, and kept absolutely in a state of ignorance as to what is the intention of the Government, and now the Irish Secretary said, "Oh, if you want a Bill you must draw it up yourselves." I do not get £4,500 a year and coals. The other day I drafted a Bill to supplement the laches of the Government—a Bill to suspend the issue of new licences in Ireland, and last night the Chief Secretary told me I had done a needless thing; that I had done a work of supererogation. Yet now he complains that my hon. Friend the Member for Cork has not done a similar thing! I feel unable to address myself to this question, and I respectfully move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(Mr. T. M. Healy.)

(5.56.) MR. A. J. BALFOUR: As the hon. and learned Gentleman has made the conduct of the Irish Government the excuse for his very extraordinary Motion, and as on this rather slender

foundation he has raised a vast superstructure of accusation, it would perhaps be as well for me to make the position of the Government clear. The hon. and learned Gentleman was wrong in every particular statement of fact which he has made to the House.

MR. T. M. HEALY: Even in the statement that I introduced a Bill?

\*MR. A. J. BALFOUR: There was that one exception, truly. The hon. and learned Gentleman stated; in the first place, that Ireland was not included in the Bill read a second time yesterday. For every purpose connected with the Bill under discussion Ireland was included. The sub-section reads—

"That the sum of £40,000 shall be assigned to Ireland for the extinction of licences as may be hereafter provided by any Act relating to Local Government in Ireland."

MR. PARNELL: Will the right hon. Gentleman read the corresponding English section?

\*MR. A. J. BALFOUR: It is sufficient to say that my assertion directly traverses the assertion of the hon. Member. The second contention of the hon. and learned Gentleman was even more extraordinary. He imagined that in consequence of some mysterious compact with the hon. Member for Mid Armagh and a certain Mr. Samuel Black who, I understand from his speech, is the Town Clerk of Belfast, the Government base the concession which has been made to the appeals from the Irish Bench. Twice the hon. and learned Member for Longford has asked the Chancellor of the Exchequer whether the Government will not give the management of the money to Municipal Authorities where they already exist. The Government, though they prefer their Bill as it is, have declared that, for the sake of peace and quietness, they will not object to such a proposal if it were pressed. Now, it seems that this proposal, which was accepted for the sake of peace, is to be turned into an instrument of obstruction by hon. Gentlemen opposite. The statement that this concession has anything to do with a compact, direct or indirect, implied or expressed, with the hon. Member for Armagh or the Town Clerk of Belfast is entirely and totally without a shadow of foundation.

MR. T. M. HEALY: The Chancellor of the Exchequer said it too.

Mr. A. J. Balfour

\*MR. GOSCHEN: I never heard before of the existence of such a person as Mr. Samuel Black.

MR. T. M. HEALY: Did Sir James Corry see him?

DR. TANNER (Cork Co., Mid): Under the Black flag.

\*MR. A. J. BALFOUR: There has been no compact whatever. The position of the Government is perfectly clear. The Government are now asked to draft new clauses, but we think the Bill best as it stands. If hon. Members choose to put down clauses embodying their views, the Government will, as they always do, give them their best consideration. I have shown that there is no foundation for the accusations of the hon. and learned Gentleman, and I trust, therefore, that the Motion will be withdrawn.

(6.0.) MR. G. TREVELYAN (Glasgow, Bridgeton): I feel it my duty to support the Motion that Progress be reported, because that is the only method known to the House and is certainly the most convenient method by which the clauses might be transferred from the present Bill. The matter is one of very great importance, and though I frankly own I do not understand all the ins and outs of the Irish matter, I think I do thoroughly understand the Scotch part of the question. There has not been a single argument advanced by the Chancellor of the Exchequer, or by any one who has yet spoken, to show that it is convenient or necessary to enforce the clauses of this Bill, instead of putting them into a Bill containing the services for which these subsidies are asked. The right hon. Gentleman gave no single reason; all he alleged was precedent, and I deny that the precedent he cited is applicable here. I candidly admit that I have forgotten the argument he used, because I could not understand it. The precedent, however, was important. It was the case of the English and Scotch Local Government Bill, and the allocation for local purposes made thereby; but that precedent does not hold in the least, because on that occasion the allotments made for local purposes were to carry out certain well-known and old established and universally agreed on services, such as the administration of the police, as well as of medical and pauper matters; whereas in this case we are going to

have certain perfectly new forms of expenditure to which many of us are strongly opposed. In order not to take up the time of the House, I will confine myself to the Scotch question, and on that I will say that to at least three-fourths of the proposals we, the Scotch Members, are greatly opposed. The small amount given for licences, for education fees, and for police superannuation we were able to some extent to discuss the other night, but the other matters we were unable to discuss at all. The Scotch Members endeavoured to get a word of assurance from the leader of the House before the Bill passed its Second Reading, but that word they were not able to obtain. Therefore, we Scotch Members are in this position, that we are asked to pass a new tax for the purpose of its being applied to objects which are likewise new, and to many of which we strongly object. We say we ought to have these objects settled before the tax is voted. For my part, I object on Constitutional grounds to our voting a new tax for purposes which are dubious and not universally agreed upon beforehand; but it is much worse when that tax is to be voted in one Bill, and the purposes for which it is to be imposed are to be described and arranged in another. It is for the purpose of enabling the Government to meet what is evidently the unanimous wish on this side of the House, and what I feel to be a perfectly honest and sincere wish not to treat it as a Party Question, that we support the Motion for Progress.

Mr. SYDNEY GEDGE rose in his place and claimed to move, "That the Question be now put;" but The CHAIRMAN withheld his assent, and declined then to put that Question.

Debate resumed.

(6.8.) MR. PARNELL: The right hon. Gentleman the Irish Secretary was entirely inaccurate in the representations he made as to our views in regard to this question. We did not state, and certainly I did not state, as he has represented, that Ireland was not included in the Bill. What I said was that it was impossible to discuss last night or on any other night, on the Second Reading stage of the Bill, the application of the money to Ireland for the extinction of licences, and the reading of the two

sections of the Bill shows this clearly. The section affecting England provides that the sum of £350,000 is to be applied to such extinctions; but with regard to Ireland we could not discuss the manner in which the licences are to be extinguished, because no method is proposed in the Bill with regard to Ireland. Neither did I assert that there had been any compact between the Government and the Mayor of Belfast. My assertion was distinct and clear. After the right hon. Gentleman the Chief Secretary had taken credit for having yielded to the views of my hon. and learned Friend the Member for Longford (Mr. T. Healy) in the proposals he had made as to Irish Corporations, I stated that the right hon. Gentleman had held an interview with the Mayor of Belfast.

\*MR. A. J. BALFOUR: It is quite untrue; I consulted no one.

MR. PARNELL: I am glad to hear it; but all I can say is, that the organ of the right hon. Gentleman, the *Belfast News Letter*, must be a liar, because it definitely stated that Mr. Black had an interview with the right hon. Gentleman, and that he came over from Belfast to London for that purpose. I notice that the right hon. Gentleman does not shake his head at that statement.

\*MR. A. J. BALFOUR: I never read the *Letter* in my life.

MR. PARNELL: This is not a question of the right hon. Gentleman having read the *Belfast News Letter*.

THE CHAIRMAN: Order, order! I must point out that this discussion is not regular.

MR. PARNELL: Then, Sir, I shall leave that part of the question, and I will say that our position is this—that this proposal having been made by the Government to deal with the mode of applying money for the extinction of licences we ought to have before us *en bloc* the method under which the Government propose to carry out that extinction. It is not reasonable to try and put us off with the vague statements of the right hon. Gentleman. He says he will consider how the Poor Law Boards may expend this money; but such a proposal requires clauses in an Act of Parliament.

\*MR. A. J. BALFOUR: I have told the House most distinctly that we mean to

submit the Bill in its present shape, and that if hon. Members from Ireland bring forward Amendments we will consider them.

MR. PARNELL: But the Bill has already been brought in and read a first and second time; and now, when we approach the Committee stage, it is not reasonable for the right hon. Gentleman to put us off and say that if we choose to put down Amendments he will consider them. It is not reasonable that he should ask us to depart from the Constitutional practice, that the application of money voted by the House should first be settled by Act of Parliament. The right hon. Gentleman proposes not only to ask the House to vote the money, but also to pass the Budget Bill in its third and last stage, taking everything else on trust. We are to leave it to the right hon. Gentleman to consider what Amendments we may draw up, without the slightest shadow of a notion as to whether they will be accepted. That, I say, is not the proper way of dealing with this question, and can hardly be the way in which the right hon. Gentleman can hope to facilitate the passing of the Bill. I submit that we, the Irish Members, have a serious grievance as to the conduct of the Government in this matter. The only reasonable course to take is the Constitutional practice which has been suggested by the Chairman of Committees, namely, that these clauses should be postponed to enable the Government to bring them forward in the form desired by hon. Members on this side of the House.

MR. T. M. HEALY: The right hon. Gentleman impugned my accuracy a short time ago. I do not know whether the hon. Member for Mid Armagh (Sir J. Corry) is in his place, but I will challenge him to deny that he and the Chancellor of the Exchequer arranged this matter within the last few days; or, if the contrary is stated, the hon. Member should explain how the extraordinary circumstances happened that in the Government organ in the North of Ireland, the *Belfast News Letter*, these statements were made, and the matter explained. Has the Chancellor of the Exchequer had an interview with Sir James Corry?

\*MR. GOSCHEN: No.

*Mr. A. J. Balfour*

MR. T. M. HEALY: I see the Attorney General for Ireland in his place; did the interview take place with him?

THE ATTORNEY GENERAL FOR IRELAND (MR. MADDEN, Dublin University): No.

THE CHAIRMAN: This has very little relevance to the Motion before the House.

\*CAPTAIN VERNEY (Bucks, N.): I think the Committee has a right to ask that a Bill affecting Ireland should be treated with the same common-sense as is applied to English and Scotch measures.

THE CHAIRMAN: Order, order! The question is, that I report Progress and ask leave to sit again.

MR. J. O'CONNOR (Tipperary, S.): I am sorry to intervene; but after what has been stated by the Government this evening, it is imperative that we should be enabled to consider the important proposal that has been made. It has been suggested by the Government that the administration of the money shall be placed in the hands of the Municipal Bodies. A few days ago I met a man from Belfast who is connected with the liquor trade, and he suggested that the Local Bodies now in existence might be interested in the application of the fund. I had the Bill in my hand, and I told him that we had already been considering that matter, and, for my own part, I rejected that proposition, because I thought it would be wrong to place such powers in the hands of the restricted Corporations of Belfast or of Dublin, which are largely composed of friends of the publicans. Well, Sir, I met that man a day or two afterwards, and he told me he had been speaking to a gentleman—

THE CHAIRMAN: Order, order! I cannot see how that is relevant to the question before the Committee.

MR. J. O'CONNOR: What I have to say in justification of my speaking on this occasion is, that I think we ought to have time to consider these proposals, and that is the reason why we urge that you, Sir, should report Progress.

\*CAPTAIN VERNEY: The reason for reporting Progress is that the whole tone and tenour of the Bill has been altered by what the Chief Secretary has stated. The Bill says that until such Act as is referred to has been passed the money shall be invested and accumulated, and,

by the admission of the right hon. Gentleman, the whole object of the measure is to be reversed. The question is not how the money should be spent, but whether it should be spent at all; and the Chief Secretary has offered that it shall be spent by the Boards of Guardians, the Corporations, and the Grand Juries.

\*MR. A. J. BALFOUR: I said nothing of the kind.

(6.30.) MR. WILLIAM JOHNSTON rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The Committee divided:—Ayes 265; Noes 186.—(Div. List, No. 87.)

Question put accordingly.

(6.40.) The Committee divided:—Ayes 189; Noes 263.—(Div. List, No. 88.)

Question again proposed, "That those words be there inserted."

Whereupon, MR. WILLIAM HENRY SMITH rose in his place, and claimed "That the Original Question be now put."

Original Question put accordingly, "That those words be there inserted."

(6.50.) The Committee divided:—Ayes 183; Noes 263.—(Div. List, No. 89.)

It being after Seven of the clock, the Chairman left the Chair to make his report to the House at Nine of the clock.

Committee report Progress; to sit again upon Monday next.

## ORDERS OF THE DAY.

### EVENING SITTING.

#### SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE LATE SIR WILLIAM PALLISER.

(9.0.) COLONEL NOLAN (Galway, N.): I desire, Mr. Speaker, to call attention to the services rendered by the late Sir W. Palliser to the country and to the

economies and increased efficiency which have resulted to the nation from the use of his inventions. There is some difficulty in introducing questions of this kind, but after all, the House of Commons is a most satisfactory tribunal to deal with them. If one brings a case like this before a Court of Law he will be asked for documentary proof, and if you bring it before the Government officials they will only be too glad not to give justice. If you bring it before Ministers it is better, but they are afraid of exceeding their powers. But the House of Commons is a fair tribunal. I admit that the representatives of Sir W. Palliser have no legal claim, but I think they have a strong moral claim upon the consideration of the country. Although by his inventions Sir W. Palliser has already saved the country something like £6,500,000, his family are now destitute. The history of Sir W. Palliser's inventions commenced with the first introduction of the armour plating of ships. The first incident in that naval revolution was when a French gunboat received the fire of the batteries at Sebastopol unscathed. Peace was signed almost immediately afterwards, but the French had learnt a lesson which resulted in the building of *La Gloire*. The exploits of the *Merrimac* and the *Monitor*, iron-clads, in the American Civil War, also attracted attention to this subject. About this time the *Warrior* was built, and the *Times* published an article in which the *Warrior* was referred to as the one efficient vessel in our Fleet. Her armour could only be penetrated by steel shot, which would do little execution when they got inside. Sir W. Palliser invented a method of cooling cast-iron shot, which enabled him to send those projectiles through a target made in imitation of the side of the *Warrior*. This was quite a revolution, and his particular claim upon the country in respect of that invention is the saving in money which it effected. Steel shot cost about £100 a ton, while cast-iron shot cost only about £14 10s. The shot and shell of Sir W. Palliser were a great benefit to the country, as the first Naval Power of the world—England—could not afford to have an impenetrable hostile iron-clad going about; and this invention saved her from that calamity. I consider that in respect of that invention alone Sir W. Palliser

has already saved the country £5,500,000. But his claims are not based on that alone. At that time the country was changing from cast-iron guns to wrought-iron guns on the Armstrong principle. There was an immense stock of guns in the country which seemed to be absolutely useless. Sir W. Palliser invented a plan of converting these guns by putting a wrought-iron tube into them. This tube was rifled, and a 32-pounder smooth bore gun was then converted into a rifled 64-pounder, which was altogether a much more formidable weapon. That was done to 1,982 guns. These weapons are well-known to the Volunteers, and I believed that more firing goes on from Palliser guns in this country at the present time than from any other. The Palliser gun up to the present day has always proved to be a good and efficient gun, and is now very largely used, and a great economy has thus resulted to the nation. Another of Sir W. Palliser's inventions was a screw shank. The First Lord of the Admiralty (Lord G. Hamilton), in answer to a question I put to him in this House, stated that the invention was not valuable without some improvement. I hold a letter in my hand signed by Mr. Charles Abel, of the eminent firm of engineers, and stating that he considers the bolts now used in the Navy are strictly in accordance with Sir W. Palliser's patent, that some change has been made in them, but that they are essentially his invention. Another point is with regard to the Palliser bolt. We all know that the armour question is one of the very greatest importance at the present moment. Nearly every fighting ship must have armour of some kind; it may be differently applied in different ships; in some cases the armour covers the vitals of the ship, while in other cases there is a belt, but it is used in practically every fighting ship. But what is the use of armour if it falls off? The Americans formerly did not attempt to pierce armour-plates, but their idea was to deliver a heavy blow at a low velocity, and so rack the armour-plates that they would be disturbed and possibly break up. Now, what prevents armour-plates from falling off is the use of a great number of bolts. Sir W. Palliser made a remarkably simple invention with regard to these bolts. Every bolt is

*Colonel Nolan*

screwed more or less into the armour, and Sir W. Palliser's invention was in connection with the screw, thereby increasing the strength of the bolt, which formerly had been weakened by the screw being cut into it. The bolts which are now used to hold on the armour-plates of ships are practically the bolts invented by Sir W. Palliser, though some changes may have been made in the arrangement of armour. I believe that instead of being driven the whole way through the bolts are only driven half-way, but that does not mean that they are not the same bolts. The Government have in no way whatever paid for the bolt. They contend that they have paid something for the shot and shell, and my contention is that the sum is inadequate. They acknowledge that they have taken possession of the bolt, and it is hardly contended that they have paid anything for the gun. Sir W. Palliser was not a very business-like man, and, being extraordinarily patriotic, he did not attempt to launch his inventions in foreign countries. With regard to the financial part of the question, I have some memoranda which were prepared by Sir W. Palliser himself. He states the price of steel shot at £100 a ton. Three years ago the Secretary of State for War said the price of forged steel shot was £150 a ton. One of the managers of the manufactory where the shells are made, in his evidence before the Committee, gave the price of cast steel shells at from £58 to £75 a ton. On the whole, I do not think I shall be guilty of any exaggeration at putting the price of forged shells at £100 a ton. The price of Sir W. Palliser's is about £15 a ton. The figures given before Lord Morley's Committee were £16 a ton for small shell and about £11 for large shell. Making as careful an estimate as I can of the amount of Palliser shot manufactured, the invention must have saved the country an expenditure of £5,600,000, and I do not think that it is possible to vary that calculation by more than a few hundreds. I do not contend that the Palliser shot and shell are equal to forged steel, but there is no proof that the cast steel shell is better than the Palliser shell. I know we are making Palliser shells quite equal to the partially forged steel shells. All steel shells are, of

course, partially-forged; there is that distinction between cast-iron and cast steel. But, allowing that the Palliser shells are not quite so good as forged steel shells, there are second-class places in first-class fortifications, and there are second-class fortifications for which the Palliser shells are quite good enough. In breech-loading guns the saving effected by Sir W. Palliser's invention has not been so large, according to War Office Returns. Sir W. Palliser only converted the smaller guns; but it is no exaggeration to say that his work saved an expenditure of £500,000. As to the bolts, there is no question that Sir W. Palliser received nothing for this invention, and there is no question but they have been largely used. This much we gather from actual knowledge, and from questions asked and answered in the House. Ministers have, to a certain extent, accepted these claims; but they always say that the House of Commons would not pass a Vote of this kind; but it is my belief that the House of Commons will be quite ready to do justice in a matter of this kind if only the Government will vouch for the reasonableness of the claim. On good authority I understand that Sir W. Palliser spent several thousands on his own experiments. It has been represented to me that his losses on this account may be put in the two items of £8,259 and £369. Of the latter amount I know nothing; but some 20 years ago I happened to meet Sir W. Palliser coming from Woolwich, and in conversation, in answer to my question, he said he had spent £8,259. But, of course, the figures are capable of proof, and there has been correspondence on the subject. I asked the head of the gun factory at Woolwich as to the truth of the statement, and he admitted it, the only excuse he could make being that Sir W. Palliser had pushed his experiments too far. Well, of course an inventor must make blunders; it is in the nature of things; there would be an end of invention if all an inventor's plans could be mathematically demonstrated. He received some £10,000 or £12,000, and I do not hesitate to say that not only was the amount inadequate to compensate him for his labours or reward him for his inventions, but he suffered a pecuniary loss. Sir W. Palliser gave up his whole life to these experi-

ments; to these he sacrificed his prospects in a military career. He made a little money through Sir W. Armstrong, who adopted some of his inventions and made use of them in trade with China and South American States. Had Sir W. Palliser gone abroad and pushed his inventions, he might have made his fortune, but he did not do so. Perhaps, in not so doing, he showed he was not a business man; but it was repugnant to his feelings, and though he was wrong, from his own financial point of view, his patriotism has been a great gain to this country, for the Palliser shot and shell have been confined to England. I think the fact that he did not push his inventions abroad ought to strongly support the claim now made on behalf of his family. I am not going to hold up Sir W. Palliser as an all-round paragon; I allow he was not a business man; but he had a great inventive genius, and certainly in his case it was connected with plenty of painstaking. The little money he made he invested in house property, but his speculation turned out a failure shortly before his death, and he whose inventions have been the cause of saving £5,500,000 to his country left absolutely nothing for his family. I want to be very clear and distinct. I have a letter here; it is not a letter I would like to read to the House, but I will place it at the disposal of the right hon. Gentleman opposite. It is written by the brother on behalf of the rest of the family, in reference to the resources of the family. I know so late as last night, a gentleman of considerable position in this House, accepted the statement that the son of Sir W. Palliser inherited a considerable sum; but I say it can be shown that he has inherited nothing but his father's name and a share in the legacy which his father has left the country. The combination of business faculties with inventive genius, such as we can associate with the names of Armstrong, Whitworth, and Krupp, is rare. Sir W. Palliser was a great inventor only. I move my Resolution, and support it on these grounds. I say here is the case of a man who devoted himself to developing the defensive resources of the country, and undoubtedly added immensely to the strength of our Fleet and our coast defences. His inventions have stood the test of 25 years.



You allotted him a sum of £12,000, and it was inadequate for the services rendered. We still profit by his services, and his family are nearly destitute. I know that a compassionate allowance is made, and I have not said a word against Ministers, who I know are bound by precedent. But the House of Commons is not fettered, it is capable of generous instincts. Unofficially I understand that it is proposed to continue the allowance of £300 a year to the family after the death of Lady Palliser, but that is nothing like sufficient, and my Resolution proposes that the country should make provision for the daughters. There is a son, who I hope inherits part of his father's genius, and who will fight his own way. There is something near a precedent, though I say we are entitled to set a precedent, and I do not think we shall regret setting up an inducement if it results in men bringing about savings of £5,500,000 in national expenditure. But, for a precedent, I may remind the House that 10 years ago Sir James Anstruther succeeded in inducing the House of Commons to acknowledge the inadequacy of the compensation to Lord Cochrane, and to assent to the payment of a salary due 50 years ago. I now leave the case in the hands of the House to say if they are content that the country should continue to benefit by the father's services and leave the family destitute.

*Amendment proposed,*

To leave out from the word "That" to the end of the Question, in order to add the words "This House recommends that some provision should be made for the daughters of Sir William Palliser,"—(*Colonel Nolan*),

—instead thereof.

Question proposed, "That the words proposed be left out stand part of the Question."

(9.50.) COLONEL BLUNDELL (Lancashire, S.W., Ince): In rising to second the Motion I may say that I had a long personal acquaintance with Sir William Palliser from the time he joined the Service in 1855. I was with him when he carried out his first experiment with a gun. A general officer and staff were on the ground to witness the experiment, but at the last moment the gun capsized, and, fortunately or unfortunately, the general officer was not able to stay

*Colonel Nolan*

until the gun was righted. When the gun was actually fired it burst. Sir W. Palliser came to his knowledge of the subjects he had to do with by hard work and the exercise of great intelligence. I know that he devoted his whole life to his work, and was perfectly absorbed in his inventions. The invention of "chilled" shot effected an enormous economy in the national expenditure. It is often said in such cases as these that if one man had not made the invention another man would; but to this I reply by anticipation nothing is more simple than the invention of yesterday, nothing more difficult than the invention of tomorrow. My hon. and gallant Friend the Member for Galway has explained the financial value of Sir W. Palliser's inventions in guns and projectiles. The invention in respect to guns had a special value in point of time—it came when we did not know what to do and were waiting for something better. I know the great attention Sir W. Palliser gave to the subject. I happened to meet him once as he was returning from the Staff College, where he had been consulting the mathematical professor in reference to the internal lining for guns which, substituted for the external coating—which was the system at the time—has been of great advantage to the nation. Sir W. Palliser's inventions have stood the test of long experience, but they were not rewarded. In a letter dated January 27, 1869, Sir W. Palliser said—

"Nothing but absolute necessity would induce me to accept so small a reward, founded, as I believe it to be, on a misapprehension of the facts."

So far as I have been able to gather, Sir W. Palliser never received anything for his invention of armour bolts. Financial speculations in which he engaged, with the object, I believe, of reviving an ancient baronetcy in his family, turned out unsuccessful. He was deriving considerable sums from royalties on raw material supplied to Foreign Governments by Sir William Armstrong, but the Government opposed the renewal of his patents, and this affected him very seriously, though I may say it in no way affected the State, and did not come within those considerations which induce the objections to prolongations of patents generally. It, however, had a serious

effect upon Sir W. Palliser's income. The net amount he received from the Government was £10,378; against that total of £10,378 an amount of £13,622 was expended for experiments, and this is established by the vouchers in existence and admitted by the Government in 1869. The inventions of Sir W. Palliser have stood the test of time, they have effected great economies, or they have prevented increased expenditure: they are still being used, and no other military inventions have effected anything approaching the economies these inventions have secured. The whole country gains large sums annually through these inventions; but the family of the inventor is absolutely unprovided for, except as regards the compassionate allowance from Her Majesty, made on the recommendation of the First Lord. But the life of Lady Palliser is, I am sorry to say, precarious, and with her loss the family will be left absolutely unprovided for. Contrast the amount of reward received by Sir W. Palliser for the inventions of a lifetime with the large sum paid for the invention of a "range finder," which depends on the clearness of the atmosphere. It will be a disgrace if we allow the country to profit largely through the genius of this officer and do not do something to provide for his daughters.

(10.1.) *SIR E. J. REED* (Cardiff): I rise to support this Motion, not because it is an ordinary case in which an inventor has rendered service to his country, but because it is a very exceptional and remarkable case. I do not think that the value of Sir William Palliser's inventions can be properly or fully estimated by reference to the public savings that he has effected; and if we went simply on that principle the House might some day be asked to vote a good deal of money for my family for inventions for which I have received no consideration. But what should be borne in mind is that every one of these inventions was not the mere accidental expedient of the moment, but the result of a highly-cultivated and mathematically-trained mind and a sound scientific judgment being brought to bear upon the requirements of the nation, and the application of these exceptional gifts supplied a great public want at a critical time, when the want was most felt. That is true of

every one of Sir William Palliser's inventions. I remember very well with what anxiety every one associated with the Army and Navy viewed the change in the nature of ordnance and saw cast-iron ordnance brought into disrepute. It is a common thing to value highly only that which is new; but I think that that is a great talent which devises means for turning stores of existing material, which threaten to become obsolete, into instruments fit for the necessities of the time; and this Sir William Palliser did in utilising the condemned cast-iron ordnance of the country. This invention could not have been produced by any one of the uninstructed or untrained men who were eager to perform services in respect of that ordnance; it could only have been produced by a man with special knowledge and ability for dealing with the problem. Then there is the interesting invention in connection with projectiles. Owing to the long-continued contest between ordnance and armour, there has been no period within the last 25 years when the country could afford to neglect any improvement, either in guns or armour. For my part, I have always attached equal value to Sir William Palliser's inventions, whether they related to guns or projectiles, to matters having reference to the purposes of offence, or to those having reference to defensive armaments. I hardly think that the hon. and gallant Gentleman who moved the Resolution has done justice to the third and greatest invention of Sir William Palliser, namely, that of the armour bolts. At the time that invention was produced we were almost in a state of panic with regard to the means of keeping the armour in an efficient condition under an attack of hostile ordnance. Then it was that Sir William Palliser came to our relief with an invention which provided a security against the armour-plates positively falling off the sides of a ship under the stress of action. It is only fair to say that there was a very high money value in this invention, and it came particularly under my notice. There were at the time of its completion many Admiralty officials and powerful Committees, composed of eminent men, dealing with the armour-plate question. Great activity was shown, but none suggested the invention, which it was left

to Sir William Palliser to bring forward as the result of years of scientific investigation and the most elaborate mathematical calculation. When the invention came to be tried it was found to be of great value; and, without wishing to reproach anybody, I wish to say I entirely sympathise with the moderate language used by my hon. and gallant Friend as to the action of the Government. I must say that, for a man not employed by the Government for the purpose of producing such an invention with regard to the armour-plates, for it to be adopted by the country at once, and continually up to the present time, and for neither the inventor nor his relatives to receive the slightest public advantage from the invention, is a state of things which the House would not willingly agree to. I do not think I should have said anything about this case if it had been one of any ordinary inventor. It is often true the invention of yesterday is easy, while that of tomorrow is difficult. But there is another consideration which must be taken into account ordinarily in dealing with the claims of inventors, and that is that, to a very large extent, inventions are in the air, that they are produced by several persons at about the same time, and that it often happens that the inventor who sets up enormous claims only happens to be the man who thought of it yesterday, while 50 thought of it to-day. Perhaps the House would hardly be prepared to go as far as I should in that respect. But it has been my lot to witness the production of an invention in several different quarters at almost identically the same time. But this is not a case of that kind. This is not a case that can be depreciated, because everyone of Sir William Palliser's inventions was the result of the application of his talent and labours to the needs of the time, and not the result of accident. For these reasons, I think the House might favourably consider the very moderate proposal laid before it without setting up any bad precedent for the future.

(10.15.) ADMIRAL MAYNE (Pembroke and Haverfordwest): I wish to say a few words as a naval officer. The benefit of Sir William Palliser's inventions has, undoubtedly, been far greater to the Navy than to the Army. No one

*Sir E. J. Reed*

who knows anything of shipbuilding can deny what has just fallen from the hon. Member for Cardiff with regard to the invention of armour bolts. That invention has rendered it possible that the ironclads which are now being built could be undertaken without the invention no one can say that we could have gone on building these vessels. As to the Palliser shot and gun, which are so largely used, only to-day a Naval gunnery officer of great experience told me that he considered the country must have saved millions by that invention, and that the Palliser shot and gun were still the most economical as well as among the most effective weapons in use. The hon. and gallant Member for Galway occupied half his speech in trying to show that Sir William Palliser had made no considerable sum of money by his inventions. But I think the House has a right to take it for granted that Sir W. Palliser did not make any money out of his inventions, from the simple fact that the Government have given his widow £300 a year. I presume that before granting that allowance they satisfied themselves that Sir William had not died a rich man, and had not been able to make adequate provision for his family. What is it the House is now asked to do? The custodians of the Public Purse are asked to do what, I feel sure, the House and the whole country always wish them to do, namely, to reward those who have done great and signal service to their country. I feel equally sure that the British taxpayer would be the last person in the world to wish the reproach to be truthfully used of this country, that she is in the habit of forgetting those who, by the use of their ability, their bravery, their time, and their talents, have conferred upon her benefits by which millions are saved, and the greatest possible advantage gained to the nation.

(10.19.) MR. CONYBEARE (Cornwall; Camborne): I should like to say a word or two in support of this Motion, and to explain the reasons why I intend to support it, because I am not anxious on ordinary occasions to vote money by way of pensions, or in any way to place further burdens on the taxpayers of this country. I think this is a case particularly deserving the attention and favour of the House. I do not propose

o deal with it from a technical point of view, or to approach the merely personal aspects of the question; but I shall take my stand on the broad and general principle that it has been too much the habit of the Government in this country to neglect and, in some cases, to treat with extreme unfairness those who make these great inventions. I need not stay now to call attention to any particular case, but I hope we may be said to be turning over a new leaf in this respect. No doubt a Session or two ago a large sum—£100,000—was voted to the inventor of some new engine of war—I think it was the case of the Brennan torpedo—but I believe that was an exceptional case. In the course of my reading I have constantly come across cases in which men who have given this country the benefit of great inventions have received no adequate payment for the services rendered. I am not bringing this charge against any Government in particular; it has, unfortunately, been a characteristic of English Governments that they have been stingy in this respect. I hope we shall put an end to that state of things, because the effect is to discourage inventors and compel them to take service under Foreign Governments. That, surely, is not the best policy to pursue. It is neither the most economical, the wisest, or the most patriotic. Now, we know that Sir William Palliser was so patriotic as not to take his great inventions to foreign countries; he gave this country the benefit of all of them. I, therefore, consider that the House is bound to recognise the services of Sir W. Palliser, and to see that his family are not left in the condition the House is now led to believe they are in. We know that the ancient Greeks had a special system of providing for those who rendered great services to their country. But we, unfortunately, do nothing of the kind, and now we hear of men in humble life who wear the Victoria Cross, and men who are survivors of the Balaclava Charge, spending their last days on earth in a workhouse. That surely is not the way to treat those who have bravely and nobly served the country. Before I sit down I should like to fortify the position I have taken up by pointing out that in the past the Government have made

special provision for the families of men who have rendered notable service to the country. In 1854 the three Misses Tucker were granted a pension in consideration of their late father's services as Surveyor to the Navy for 18 years; two years later the three daughters of Mr. Bayly, of the War Office, were awarded a pension in consideration of their father's long and meritorious services; grants have also since been made to Miss Ford in 1861; to Miss Lizzie Vincent; to the daughters of Sir John Burgoyne (who occupied the position of Constable of the Tower); and to General Chesney for his exploration in the Euphrates Valley. We have pensions granted to ladies, the living descendants of men of long ago. It can hardly be suggested that the daughters of Sir William Palliser are not entitled to consideration at our hands. A pension is granted to Prince Lucien Buonaparte for his literary services, but those services were done to the world, not to Englishmen. I believe in Cornwall he put up a memorial to Peggy (somebody or other, the last woman who spoke in the Cornish dialect. I am not aware that his explorations in the field of philology have given him any real claim upon the English Civil List, but rather on his own people. Then I find a notable pension to Mr. K. Thompson for his services to the Royal Family, but it seems to me that personal services might well entitle him to a pension out of the Privy Purse, and not the Civil List. But if a man is entitled to a pension on such grounds, then *a fortiori*, Sir William Palliser is entitled to consideration at our hands. I can only hope we shall hear no discordant note from those Benches opposite, though I do not think we need fear it, because there is so much support from both sides of the House, and the onus and burden of the responsibility of granting a pension will rest, not upon a part, but the whole House.

(10.33.) MR. JENNINGS (Stockport): Sir, I thought this case of Sir William Palliser was a very hard one, and that it was, in point of fact, the case of an officer who had rendered distinguished services to his country, and whose services had not been recognised. But I must confess, since I have listened to the discussion, that opinion has been

very considerably shaken. The hon. Member (Mr. Conybeare) has gone extensively into the Civil List with a view to find cases which would show that the services of Sir William Palliser had been overlooked. I shall not go into the cases which he quoted, but he may rest assured that they all come strictly within the Act under which Civil Service Pensions are granted. In that Act services to the Sovereign are distinctly mentioned. The hon. Member seems not to be aware that on this very Civil List there are two pensions to the family of Sir William Palliser ["How much?"] £300 a year—as large a pension as there is on the Civil List, with three or four exceptions. There are pensions on the Civil List which I am not going to defend. I think the distribution of the Civil List has often been open to grave and grievous criticism—in fact, I would go so far as to say that it is not properly distributed. But under the present Government there has not been the misapplication of a single shilling on the Civil List, on which the family of Sir W. Palliser are fairly represented. There appear two pensions granted to the family of Sir W. Palliser, amounting together to £300. Very few pensions on the Civil List are for larger sums. Then Sir W. Palliser has received himself £24,000 from the Government, and a sum of £20,000 was paid to him by Sir W. Armstrong for his inventions. These are not mean sums. If the descendants of the inventor of the spinning jenny had been brought into the Lobby to appeal to hon. Members' sympathies, would they have been given anything? Has the inventor of the spinning jenny, or of any other wonderful invention benefiting commerce, ever received a single shilling from the country? No, those inventors have been left to languish in poverty and neglect. Their names will not be found in the Civil List. Had the Government been niggardly in its recognition of Sir W. Palliser's services, something might have been said for this additional demand, but it has not been niggardly. £24,000 is a large sum to give for the improvements which Sir W. Palliser introduced. We are asked to provide some indefinite sum out of some unnamed fund for the benefit of a family that is undoubtedly deserving of sympathy and respect,

*Mr. Jennings*

but not more so than many another family now in the direst depths of poverty and misery. Out of what fund does the hon. and gallant Member propose that this money should come? We have all heard lately distressing stories about the gallant men who fought at Balaclava, and the Secretary of State for War has stated that he has no fund at his disposal for their relief. It is evident that if once the State were to relieve these gallant fellows the matter could not end there, for how are we to draw a line between the men who fought at Balaclava and those who fought and bled at Lucknow and Delhi and throughout the Indian Mutiny? But if the Secretary of State for War has not the means of relieving the grievous necessities of these heroic men, how can it be expected that he should provide a large sum of money for the family of Sir W. Palliser? The hon. and gallant Member has calculated the debt which, he said, the country owes to the family by the saving on the shot and shell introduced by Sir W. Palliser. But when is the calculation to end? I presume that the saving will go on, and if the application be granted I suppose that in ten years' time another application will be made to the country on behalf of the family. The hon. Member for Cardiff has fairly enough represented that an application in progress of time would come from his family, but I hope it will be many years before that application is made. Is there to be no limit? Is this House the proper tribunal to decide upon those inventions, or to vote away public money in ignorance to a large extent of their value and of the extent to which future applications will be made? I am quite aware that, surrounded as we are by representatives of the Services, the voice of a civilian will be "as the voice of one crying in the wilderness." But I do not think the country will approve, with a pension list which already exceeds £7,000,000, of our voting another pension of considerable amount. Coming down to the House this evening I read a paragraph in an evening paper to the effect that considerable influence had been brought to bear on us here. I read that it was an unique incident. I have seen a good deal of lobbying in other countries. [*Cheers from below the Gangway.*]

\*MR. SPEAKER: Order, order! I must appeal to hon. Members not to continue these constant interruptions of the hon. Member.

MR. JENNINGS: The fact that Sir William Palliser was an Irishman may account for these constant interruptions. Hon. Gentlemen opposite really do carry their patriotism a little too far, if that is the explanation. However, there is this paragraph in the evening paper. It says that a considerable amount of Lobbying went on, and that the names of Members who promised to vote for the Motion were put down in a book. I say that is a very improper way of bringing influence to bear, and when money is to be voted away, although I hope it will not be permitted to damage the case which has been presented, still, I sincerely trust it will not help it. I am perfectly convinced that the country would not approve an extension of the pension list, or our voting blindly and recklessly another grant of money. Sir, I shall vote against the Amendment.

(10.45.) MR. LABOUCHERE (Northampton): Sir, the hon. Member who has just sat down is a journalist, yet actually being a journalist, he asks this House to believe everything that appears in an evening paper. The hon. Gentleman says that there was a considerable amount of Lobbying, and it seems to me that he is anxious to pose as a species of Scipio Africanus. Now, about this Lobbying by my hon. and gallant Friend who had this Motion before the House this evening. Everybody knows that when an hon. Member has a private Motion on at 9 o'clock on a Friday night, it is not always easy to get a House. My hon. Friend went about asking his friends, apparently with some success, to be good enough to come here and to make a House, and to hear the arguments which he was prepared to advance in regard to this matter. The hon. Gentleman (Mr. Jennings) asks where the money is to come from. Where? If it does not come from the Civil Pension List, it will come from the Supplementary Estimates. Instead of a pension, you will give a lump sum, the amount of which my hon. and gallant Friend left to the Government. This is a mere question of pounds, shillings, and pence. I do not think we ought to import any

specious sentiment into the matter. To say that because there are other families living in misery, we ought not, therefore, to give the daughters of this inventor some adequate recognition of their father's services to the country, is very poor logic. The hon. Gentleman also said that Sir William Palliser received adequate reward for his inventions, and he says that if we are to consider the amount of saving which those inventions have effected the country, we shall have some one else, ten years hence, asking for more. There would be some point in this if we based our calculation of what should be granted on the amount saved. But we do not. We only ask that a reasonable amount should be given to the children of Sir W. Palliser. The saving may have been £3,000,000 or £12,000,000, or £1,000,000, I will not discuss the point. I will assume, for the purpose of my argument, it is £1,000,000. What has he received? He has received the sum of £24,000, but of that he expended in these inventions £13,171, so that he only received £10,378. Considering the disparity between the saving effected, the grant made, and the pension given, I do not think Sir W. Palliser's services have been adequately rewarded. It is said that Radicals are niggardly in the matter of public expenditure. I have always protested against this. We do not want money to be illegitimately or improperly spent. When a fair case is made out, we are as ready to take a generous view of the matter as any Member in any part of the House. We do not trouble ourselves about Lobbying. We are asked to come down and hear the case, and we are not, of course, actuated by anything but a fair and honest belief, on our part that the country has benefited very largely by these inventions. If this gentleman had sold them to some private firm, he would have been able to have left his family much more money than he did, but he preferred to deal with the Government, and the Government ought to deal fairly and generously by his family.

\*(10.55.) THE FINANCIAL SECRETARY TO THE WAR OFFICE (MR. BRODRICK, Surrey, Guildford): Sir, the hon. Member who has just sat down

terminated his speech with an appeal which every Member of the House must have regarded with great satisfaction. Nobody can doubt that in matters of this kind, where the power of the State is on one side, and the weakness of the individual on the other, it is extremely necessary that the House should see that justice is done. This is not a case in which we need fear the House of Commons will not do justice. Sir W. Palliser was enormously respected, and until almost recently one of our Colleagues in this House, well-known to many of us, and his inventions have achieved an almost world-wide reputation. A great deal of public sympathy has been evoked in the matter, and the subject has been constantly brought before the Departments. Successive Secretaries of State, First Lords of the Admiralty, and Chancellors of the Exchequer have been involved in the decision of it. The contention of the Government is that it is necessary to shut out our personal sympathies, which are naturally on the side of a man who has done good service to his country, in order that we may do justice between him and others who may have equally well-founded claims. Looking at it from that point of view, it is very difficult to see the great injustice which it is suggested has been done to Sir W. Palliser.

Hon. Members seem to forget when they speak of Sir W. Palliser as a man who has given his lifetime to inventions, and who might have dealt with foreign Governments and private firms, that he was an officer in the Army, holding Her Majesty's commission, from the beginning to the end of the inventions. Lieutenant Palliser, as he was then, joined the Army in 1855. He went on half-pay in 1864 at his own desire, and remained on half-pay up till 1871. In June, 1867, having perfected his inventions of chilled projectiles, he received £15,000. In February, 1869, he received £7,500 for his plans for converting cast-iron guns. In 1871, and before he left the Army, he received £1,500 for improvements in artillery, and those payments were treated, not merely by the Department, but by Sir W. Palliser himself, as a final settlement of his claim. In subsequent communications, Sir W. Palliser acknowledged frankly that although he had not had the intrinsic value of his inventions given him, still the

*Mr. Brodrick*

account was finally closed between him and the War Department. The hon. and gallant Member for Galway said that out of these sums Sir W. Palliser only received £12,000 altogether. For my own part, I am not in a position, and I do not think that any Member of the House is in a position, to establish exactly what sum Sir W. Palliser spent on his inventions. Those are always difficult questions, but one thing we do know is, that those hon. Members who have spoken and have assumed that the Government had a monopoly of the inventions, are in error. There are two fallacies underlying this. In the first place, it is not germane to the case of 1890 to compare the sums which would be given now by foreign Governments with those which would have been given 23 years ago. But there is another fallacy in this, because the Government did not buy from Sir W. Palliser a monopoly. He received from Sir W. Armstrong alone over £20,000 during the same period, and, therefore, even taking the computation of the hon. and gallant Gentleman who brought forward this case with so much moderation, Sir W. Palliser received for his inventions in the course of four or five years between £30,000 and £40,000. It has been urged that this is not a large sum as compared with what has been received by some inventors. I am not going to trouble the House with a comparison which would probably be inaccurate, and would certainly be unconvincing, but I should like to say that it is an error to suppose that the War Office are responsible for the check which occurred to Sir W. Palliser's profits, when the question of the patents being renewed was brought before the Privy Council. The War Office made no objection to the prolongation of the patents in 1876, but stipulated that, as they had paid £15,000 for their share in that particular invention, the Government rights should be reserved, and that they should not be forced to pay a royalty. The Privy Council considered the case in all its bearings, and came to the conclusion that the profits made by Sir W. Palliser, amounting, as they knew, to some £20,000 from private sources alone, represented a fair consideration for the patent, and they refused the application altogether. But I put it most strongly to the House that we—the present War

Office—are not responsible for that decision. The Government were anxious to protect themselves, of course, but would have welcomed any concession made to Sir W. Palliser. The hon. and gallant Member also called attention to the treatment of Sir W. Palliser by the Admiralty with reference to the bolts for armour plates. I will leave it to the First Lord of the Admiralty to explain to the House the exact difference in these armour bolts, which prevents the patent being as valuable now as it was in the first instance, but I should like to refer the House to the fact that in 1874 Sir W. Palliser wrote to the Admiralty and asked for an acknowledgment of his services with respect to these armour bolts, his method of testing material by tension, and chilled projectiles. In his letter he said—

“I beg respectfully to state that, should my request be granted, I should not raise any claim of a pecuniary nature for the use of my patent bolts nor on any other account.”

I maintain that these words should be taken by the House, as they were taken by the Government, to be a formal renunciation on the part of Sir W. Palliser to any further royalties, subject to the condition that the Government should acknowledge the benefit of his invention, which was patented, and which he was at liberty to offer to any Foreign Power. Now, I am not here to contend that the sums paid to Sir W. Palliser are to be taken as a full equivalent of the whole gain which the Government may have obtained; but I do contend that the Government made their bargain at the time, and that that bargain was accepted by Sir W. Palliser for his services as an inventor alone.

MR. MAC NEILL (Donegal, S.): I would ask if there is not a letter of Sir W. Palliser's extant in which he says—*[Cries of “Order!”]*

\*MR. SPEAKER: The hon. Member can use that argument in Debate.

\*MR. BRODRICK: The hon. Member will have an opportunity of correcting me later on if I say anything which does not accord with his view of the facts. But I would put it to the House that the Government have not been niggardly in endeavouring to show their recognition of Sir W. Palliser's services to the Em-

pire. Hon. Members will not expect me to put any pecuniary value upon the honours which were conferred upon Sir W. Palliser; but we all know that he received the Cross of the Bath, and in 1872 was raised to the honour of knighthood. Those honours will be admitted by every one to be a token of the value of his inventions and a recognition of his public services. Hon. Members have somewhat disregarded what has been done since the death of Sir W. Palliser. When the hon. Member for Stockport spoke there was a laugh among hon. Members opposite at the mention of the sum of £300 a year having been granted to Lady Palliser and her children. We must all regret that after considerable sums passed through the hands of Sir W. Palliser he was not in a position to make provision for his family. I believe that Sir William Palliser invested a considerable amount of money in freehold securities, which, as he died intestate, passed to his only son.

COLONEL NOLAN: They were absolutely valueless.

\*MR. BRODRICK: At all events, whatever its value, the freehold property of Sir W. Palliser descended to his eldest son, to the exclusion of the widow and her daughters. I should like the House to consider the relative value of the pensions which it is in the power of the Government to give. No doubt £300 may seem to many to be a low sum. In the case of the £250 pension awarded to Prince Lucien Bonaparte there were exceptional circumstances, which were explained to the apparent satisfaction of the House by the leader of the Opposition. A pension of £300 is higher than that which can be awarded to the widow of any General Officer, whatever his distinction, even if he happens to have fallen on the field of battle and in the service of his country. No higher pension could be given to the widow of, say, Lord Napier of Magdala, and therefore it cannot be said that the widow of Sir W. Palliser suffers by comparison with other cases. Great stress has been laid on the sums said to have been saved by Sir W. Palliser's inventions; but the estimate of over £5,500,000 is based upon an assumption of the present cost of steel projectiles, which cannot be admitted. It must also



be said, on the other hand, that if we had not had the benefit of Sir W. Palliser's inventions, we should have saved some of the money that has been expended in availing ourselves of them, and which in the absence of such inventions we should not have been called upon to spend. ["Oh, oh!" *and laughter.*] Well, you cannot calculate it both ways at the same time. We have benefited by steam and railways, and in estimating that benefit we do not usually take account of the alternative expenditure that would have been incurred in attempting to carry on our traffic at the same speed as by train by means of horses. You cannot take the comparison both ways. While Sir W. Palliser's inventions were of public service at the time, still we should simply have had to content ourselves with a less perfect service, not have had to spend so much money in their absence as the hon. and gallant Member estimates. I will only put one other consideration before the House. No subject has occupied the serious attention of the Government more than this, even during the present Session. It has been brought forward in the most influential manner from time to time. I will not allude to the points raised by the hon. Member for Stockport, an attempt to destroy which was made by the hon. Member for Northampton by a relation of circumstances which, I venture to say, was altogether incomplete. I venture to say that the statement of the hon. Member might with truth have been extended. Nothing that sentiment could do has been wanting. If instead of Sir W. Palliser being an officer of distinction he had been a private soldier, or if instead of being a Member of Parliament he had been a mechanic, no one would say that the case has not been sufficiently recognised by what has been done by the Government, supplemented as it has been by sums paid by private firms. I do not for a moment suggest that the hon. Member for Galway would have done less for a man of low estate; but, still, the social position of a distinguished officer and Member of Parliament does make an appeal to sympathies which might not have been touched in other cases. The

*Mr. B. Odrick*

Government desire to do full justice in the matter, and in the event of the death of the widow will be glad to consider the position and claims of the daughters; but they consider that everything has been done which they are justified in doing up to the present time; and they therefore hope that the Motion will not be pressed to a Division, but that it will be recognised that the Government have acted with justice and liberality, but also with that equality which they are bound to observe in dealing with claims upon the public purse.

(11.20.) MR. T. M. HEALY (Longford, N.): I have considerable sympathy with the attitude adopted by the hon. Member for Stockport (Mr. Jennings), and deprecate any attempt to put undue pressure on the House. I must say, however, that my hon. and gallant Friend (Colonel Nolan) would have been the last man to have taken part in any such attempt. The only request made to me was that I should come down and help to make a House. I declined in any way to engage to support his Motion. I came down in order to assist in getting the matter legitimately discussed. Having heard it discussed I will venture to say a few words on it. Every Member must in the course of his experience have had brought under his attention the claims of neglected individuals. As an Irishman I shall never forget the action taken by the First Lord of the Admiralty (Lord G. Hamilton) on a private petition I presented to him with regard to an unfortunate coast-guardman who had exhausted himself in the service of the State, and whose children were in a destitute condition. The First Lord of the Admiralty, having no public funds on which he could draw to meet the case, was so good as to send me a cheque on his private account. I could not help feeling that the noble Lord was an Irishman, and that I was another. Now, Sir, I have heard the statement of my hon. and gallant Friend, and the statement made on behalf of the Government. I may mention that Sir W. Palliser was an Irish landlord, who could not in any way claim sympathy from those who speak on behalf of the tenants, being separated from us by gulfs as far as social relations are concerned. But when a case is made we cannot shut our eyes or ears to it.

My hon. and gallant Friend says the inventions of Sir W. Palliser have saved the State some £5,000,000 of money. ["No."] Well, the Financial Secretary to the War Office (Mr. Brodrick) did not dispute that. I am willing to take the saving at £1,000,000. If he saved the State that amount his family have claims upon our consideration. The claims of individuals do not, as a rule, fare well in this House, not because the House is unwilling to do justice, but for various reasons. I remember when Frank Power was killed with Gordon in Khar-toum we had to keep the House sitting till 4 o'clock in the morning to get his sisters £150 a year. They had no claim on us. On the contrary, Frank Power's brother is at this moment helping the hon. Member for Hunts (Mr. Smith-Barry) to exterminate the tenants in the South of Ireland. It is very much of a lottery whether these private claims are well treated in this House or not. It may be difficult, in the first place, to get someone to understand the case, and then there is the difficulty of getting someone to take it up, and the further difficulty of obtaining a day for its discussion. The present Pension List is ridiculous. I believe that £50 a year is paid to one gentleman, whom I knew myself to be the chief Fenian poet in the days of insurrection in Ireland. I am sure I hope he enjoys his £50. I quite agree that there may be hundreds of deserving cases that have not been dealt with, but that is no reason why we should not deal properly with any case that is brought before us. The hon. Gentleman opposite says Sir W. Palliser was loaded with honours. What were the loads? He got a knighthood. Well, you get a knighthood for winning a borough. [An hon. MEMBER: Or losing one like Lewis.] I do not desire to introduce anything of a controversial character into this Debate. It is clear that Sir W. Palliser saved the State a large amount. He has left a considerable family. I am glad to hear that the Treasury have promised a certain amount. I think the Treasury should act handsomely in such a matter. I entirely repudiate the idea that anyone on this side of the House is supporting the claims of these ladies because they are Irish ladies, and I think that Irish

Members are as fit and competent to deal with a question of this kind as any gentleman born within sound of Bow Bells. I think that something more ought to be done for Sir W. Palliser's family than is now being done or intended to be done.

\*(11.29.) THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): I wish to state the nature of the transactions between Sir W. Palliser and the Admiralty. The hon. and learned Member who has just sat down made an allusion personal to myself, and I may, perhaps, be permitted to refer to it as showing that we sometimes oppose grants of public money not out of niggardliness of spirit, but because we feel, as guardians of the public purse, it is necessary for us to be less charitable in public than in private life. I happened to be a personal friend of the late Sir W. Palliser, and had the honour of belonging to the regiment to which he for some time belonged. Therefore, all my predilections and personal sympathies would be in favour of this claim. But upon consideration of the facts of the case I find myself unable to support it. It seems to be assumed that Sir W. Palliser was for the last 22 years of his life in the Public Service on full pay. This was not the fact. For nine years of that time he was on full pay as an officer, and while on full pay he took out two patents for inventions. When his regiment was ordered to India he made an application to be allowed, on special terms, to retire on half-pay, and from that period—it was in 1864—up to the time of his death he devoted his time to inventions, mainly on commercial lines. He did not give the whole of his time to the State. His transactions with the State were of two kinds. So far as his chilled projectiles were concerned the State gave him a lump sum in full discharge, and as regarded the bolts, he took out a patent, and during the whole time the patent was in existence the Government paid the royalties. The House will observe what an unfair position the Government are placed in with regard to the matter. On the one

hand, if a lump sum is paid to an officer for the use of his invention, it is asserted that he is inadequately remunerated, and, on the other hand, if the commercial mode of transaction is adopted and a royalty is paid, it is stated that the State does not pay for the invention at all. The patent for the bolts, which were of great use, ran from 1862 to 1876, and two years before it terminated Sir W. Palliser wrote a letter to the Admiralty, stating that if they would give him a testimonial pointing out the value of his services—

"I will not raise any claim of a pecuniary nature for the use of my patent bolts, nor on any other account."

A letter was written to him to that effect, and these are the facts of the case so far as the Admiralty are concerned. Sir W. Palliser was a man of most prepossessing manners; and I think must have been liked by all who knew him. He was a Member of this House. However, I hope the House will not, for these reasons, treat the case as an exceptional one. I would ask whether the House desires us to treat the inventions of any humble dockyard man on a different principle from that of Sir W. Palliser? Various inventions, some of them of a very ingenious character, are frequently brought to the notice of the Government, but I do not know of any inventor who has received greater consideration than Sir W. Palliser. I am certain that if any man in a lower position in the employment of the State were to die and his wife obtained a pension, no Department of the State would make provision for the children when the pension terminated. If what I say be in accordance with the invariable rule, ought we to make an exception in the case of an individual who happens to be a Member of this House? I venture very respectfully to say that it would not, in my opinion, be wise for the House to assent to the form of recommendation which has been placed before it, because the public will not fail to draw a contrast between the treatment of this case and that of inventors generally.

\*(11.36.) SIR W. BARTHELOT (Sussex, N.W.): This question has been very ably  
*Lord G. Hamilton*

dealt with from both points of view; but I think justice has hardly been done to those who have advocated the claims of Sir William Palliser, because one or two points made by them have not been noticed. Looking at what Sir W. Palliser received, and the benefits his inventions conferred on the country, and, bearing in mind also the money he spent in perfecting his inventions, it can hardly be said that he was adequately remunerated. The expenses which he had necessarily to incur in order to carry out the inventions ought to be taken into account when the sums paid to him are mentioned. If, therefore, you deduct £13,621 for expenses, you find he absolutely received from the Government £10,328. The Financial Secretary to the War Department (Mr. Brodrick) made very little of the conversion of the old iron guns into rifled guns. I undertake to say that at that particular time there was nothing of greater importance to this country than the increase of the number of rifled guns, and, but for this invention, other guns would have cost the nation a very much larger sum of money. By means of the invention guns which were lying idle and useless in the dockyards were converted to very good purposes. As to a royalty having been paid by the Government for the bolts, I have just been shown a letter in which Sir W. Palliser denies that any royalty was given him for the bolts, and this can be confirmed by one who was nearly connected with him. I should, therefore, like to be informed of the amount of the royalties alleged to have been paid to the deceased officer. In my opinion, Sir W. Palliser, the value of whose inventions to the country is not disputed, was not adequately remunerated by the State for the services he rendered. It is nothing to the purpose to say that had he lived at the present time he would have received much larger sums; but if of any value it is an argument in favour of increasing the payment now.

The position of the case is this: Sir W. Palliser received a certain sum of money from the Government, and he might have received large sums elsewhere. There is now nothing left for his children. They are very young, and there is no money to educate them with. My hon. Friend thinks there is something still due to him from the Government. Assuredly, if Sir W. Palliser is entitled to receive anything more, his family has a right to know that they will receive it; because it may be said by a future Treasury, "If anything ought to be done, it ought to have been done before." I appeal to the Government not to put the House to the trouble of a Division, but to say that they will give a fair and reasonable sum for the education of the children, and after the death of Lady Palliser will continue the grant to the children.

\*(11.43.) SIR J. GOLDSMID (St. Pancras, S.): I desire to say a few words in support of the appeal just made to the Government. I know how difficult it is for the House of Commons to decide how a variety of claims shall be dealt with, but I have had brought before me during the last three or four years circumstances connected with the work of Sir W. Palliser, and I venture to say that in regard to the good he has done the country he has not been sufficiently remunerated. If that is the general feeling the Government ought to meet the views of the House of Commons. I happen to know that Sir W. Palliser's daughters have been left in a very poor position, and that one of them shows signs of considerable ability, which might be developed if there were means to give her a suitable training. It is not for one invention, but for several, that Sir W. Palliser's family have claims on the country. Therefore, the case is one in which further generosity could fitly be exercised. If something is not done in this case no claim can be successfully made upon the House of Commons again. This is a good case. The feeling of the House is in favour of something being done, and I hope the Government will give effect to that feeling.

\*(11.46.) THE FIRST LORD OF THE TREASURY (MR. W. H. SMITH, Strand,

Westminster): The Government feel a great deal of sympathy for the very generous aspirations of many of my hon. Friends and of Gentlemen opposite in this case. The hon. Gentleman opposite has appealed to the Government to show their sympathy. I think the Government have already done so. In 1877 the late Lord Iddesleigh obtained a grant for Lady Palliser of £150 a year, and I myself obtained a grant of £150 more, making altogether £300 a year. But the Government are now asked to propose to the House of Commons to give a grant of thousands in consideration of services which, in the language of the gallant officer himself, have been amply rewarded. A Memorandum has been alluded to. That Memorandum must not be held up to the House or the Government to reverse or to alter the character of the discharge which has been given. If the Government are not to regard transactions of this kind as final they will be exposed to all manner of claims. It is, of course, a very agreeable thing to be liberal, but to be liberal in the sense of giving away that which is expressly barred is a responsibility which I cannot undertake. In 1869 Sir W. Palliser wrote to the Under Secretary of State as follows:—

"I have the honour to acknowledge the receipt of your letter of the 24th inst., enclosing an order for £7,500, which sum I accept in full discharge of my claim upon the War Office for the system of converting cast iron guns."

That letter is dated 21 years ago, and now a claim is set up, not only with respect to these guns, but for other transactions not with the Government of the present day, but with the Government which existed in 1868. Reference has been made to the Judgment of Sir Barnes Peacock. He decided that the invention was a meritorious one, and that it was impossible to say how much had been expended by Sir W. Palliser on his patents. He further went on to say that Sir W. Palliser had received £20,000 for his invention by the Government, and that he had also received large remuneration from Sir W. Armstrong in respect of royalties. It is to be deeply regretted that Sir W. Palliser should have made no provision for his family; but I ask the House whether it

is a wise course, out of sympathy alone, to go behind transactions of 20 years ago and make a grant of money which has been held not to be due by the officers of successive Governments acting in the simple discharge of their duty. Moreover, the grants which have been made out of Her Majesty's bounty on the recommendation of the Government exceed the pension which the widow of a Flag Officer of the highest rank is entitled to receive under the Regulations of the Service. Under these circumstances, I trust the House will not agree to the Motion.

(11.55.) **SIR W. HARCOURT** (Derby): I am bound to say I feel it my duty to support the First Lord of the Treasury in the position he has taken up. Nothing is easier and more agreeable than to be sympathetic, generous, and liberal with other people's money, but it should be recollected that we are dealing with the money of the nation. We have to consider whether, in acceding to this Motion, we should be acting upon a rule which we can apply to others under all circumstances. Otherwise we should be properly condemned for having established a sort of privilege or favour in one particular case. Sir W. Palliser was a man of distinguished ability, but he received very large rewards from the State, with which he declared himself to be satisfied. It would be unsafe, as the right hon. Gentleman has said, for any Government to disregard that acquittance. Besides that, it appears that Sir W. Palliser has derived what everyone must consider a very considerable sum on his own private account. It is to be regretted that he has left his family unprovided for; but in dealing with other persons the absence of that provision cannot be taken as a ground for replacing it with public money. Moreover, it is not denied that the benevolence which has been granted to Lady Palliser is at least as great as has ever been accorded to anyone under similar circumstances. I think nothing could be more dangerous than to encourage Motions of this kind in favour of individual interests, and if a Division takes place I shall certainly vote against the Motion.

\*(11.59.) **MR. W. H. SMITH**: I wish to add one word. I ought to have said

*Mr. W. H. Smith*

that, having regard to the circumstances under which the children of Lady Palliser are now placed, I shall deem it my duty to endeavour to secure that the pension of £300 a year which Lady Palliser now receives shall be continued to her children in the unfortunate event of her death.

**MR. T. P. O'CONNOR** (Liverpool, Scotland Division): I think we are all thankful to the right hon. Gentleman for the concession he has made. I object to the manner in which this case has been met. The right hon. Gentleman the Member for Derby says it is wrong to be generous with other people's money; but I think we may ask the State to be honest and just in its dealings with its servants who have served the State well; it is no question of generosity. The First Lord of the Treasury says that £300 a year is more than would be received by the family of a General Officer who had passed his life in the Service; but has a General Officer ever saved the country £5,000,000? I have listened to the whole Debate, but no answer has been given to this part of the argument of my hon. and gallant Friend. It is said that present claims are at least five times too high, and still large claims on the State are left unrecognised. I was sorry the hon. Member for Stockport (Mr. Jennings) used the argument he did. I belong to the same profession as the hon. Gentleman, but I think it would be very unfair to hold reasonable claims urged in this House prejudiced by what may have appeared in the newspapers. Every case should be judged upon its own merits, and so we on this side support the claim. We have no feeling in the matter. Sir W. Palliser was politically an opponent of ours, and I suppose his family have inherited the political traditions. Comment has been made upon the fact that Sir William Palliser left no provision for his family, and the inference has been drawn that he was a man of extravagant habits. Nothing could be further from the truth. The reason why his family were left unprovided for was that he made speculations in house property which did not turn out successfully. A further reason was that his mind was so preoccupied in scientific pursuits that he was unable to pay sufficient attention to the material interests of himself and

family, like many another man from whose services the country at large has benefited.

(12.2.) GENERAL GOLDSWORTHY (Hammersmith): As to what the First Lord of the Treasury said just now, I would observe that though Sir William Palliser is dead his inventions still live, and we are still deriving advantage from them. Quite recently the manufacture was being carried on at Woolwich. I feel very strongly the position in which Sir W. Palliser's family is placed. At this time money is particularly required for education, and year by year the country is saving immense sums of money beyond anything that was anticipated when the inventions were submitted to the Government. Strong supporter of the Government as I am when I think they are in the right, I must, if there is a Division, support this Motion.

\*(12.3.) SIR E. WATKIN (Hythe): I will only detain the House for a moment, but I cannot but protest against the mean and shabby character of the speeches with which the First Lord and the right hon. Member for Derby have opposed this Motion. I am quite sure the First Lord would never apply such principles to his transactions in the Strand. The right hon. Gentleman knows very well that if an employer does not treat members of his staff with a generous measure of justice he cannot keep a good staff together. The lesson he teaches the House he would not apply to his own affairs. Here is a man who has done the State a noble service, and in his unselfish efforts his family have suffered, and is the justice of the case met by the miserable pittance the right hon. Gentleman offers? I am not an Irishman; I am an Englishman—perhaps I should be better if I were an Irishman and a little more generous; but I have 30,000 people engaged in industrial employment to deal with, and I tell the right hon. Gentleman that I would not demean myself, I would not injure the sentiment that should exist between

employer and employed by dealing with a question of this kind in the manner of the right hon. Gentleman. I was attracted to this discussion because I knew the hon. and gallant Gentleman the Member for Galway had, year after year, urged this House to adopt the system of breech-loading to our guns, and in vain. Yet, at last, that system has been adopted after enormous waste. I respect such a representative, and I felt sure he would urge the just claims of a man who did his best to arrest the miserable dry rot of the Service, and to give us improved defences; and though he may fail of success to-night, in my judgment he has done good service. If you are to have good *employés* you must not talk about justice and generosity in the tone of official utterances we have heard from both sides to-night. Is it just to requite the services of a man who has saved you millions by inventions you are using to-day by giving £6 a week towards the expenses of his wife and family? Is there any hon. Member present who will say he thinks that is a just way of dealing with this matter? I will be no party to such a settlement. I will tell you what I will do. I make this offer to the right hon. Gentlemen the First Lord of the Treasury and the Member for Derby, if they will join with me I will add to this miserable £300 a year my share to make £300 a year more.

(12.9.) SIR J. PULESTON (Devonport): I do not wish to prolong the discussion. I will only make a suggestion which may prevent a Division, which, I think, we are all desirous to avoid. There is not, I think, any great division of opinion on the merits of the case, for there is no question of the advantage the country has derived from the inventions. Will the right hon. Gentleman the First Lord of the Treasury allow me to make an appeal to him to carry his own suggestion a little further and to make at once an additional allowance of £150 a year to the children of Sir William Palliser, an additional income being more needed now to meet educational requirements than it will be hereafter. In the unfortunate event of the

death of Lady Palliser, the sum of £300 might be reverted to. This is not inconsistent with the view of the right hon. Gentleman, and will meet the present necessities of the young ladies immediately concerned.

(12.10.) Question put.

The House divided:—Ayes 105; Noes 85.—(Div. List, No. 90.)

Main question proposed, "That Mr. Speaker do now leave the chair."

Motion, by leave, withdrawn.

COLONEL HUGHES (Woolwich), who had a Notice on the Paper: "To call attention to the low wages paid to labourers in the Government Establishments; and to move, That a Committee of this House be appointed to inquire and report thereon, and the market rate of wages for similar labour in private firms," rose—

\*MR. SPEAKER: Order, order! The Motion is withdrawn.

COLONEL HUGHES: My Motion, Sir, is now withdrawn.

\*MR. SPEAKER: The Motion to which the hon. and gallant Member has given notice of Amendment has been withdrawn.

Committee upon Monday next.

INLAND REVENUE REGULATION  
(RE-COMMITTED) BILL.—(No. 211.)  
Considered in Committee.

(In the Committee.)

(12.20.) MR. T. M. HEALY: I wish to put a question, Sir, on a point of order. I am not contesting this Bill; but to-day, Sir, while you were in the Chair in Committee on another Bill, this Bill stood as second Order, and the question I have to put is on a matter of regularity. The Evening Sitting is well understood to be devoted to discussions raised by private Members on Bills or Motions as they stand on the Notice Paper. But we find that the order of business has been completely changed, and the Government Orders have been plumped down in front

*Sir J. Puleston*

of the private Bills. Now, considering the few opportunities private Members have, I think we may well protest against the little salvage of time that remains between this and 1 o'clock being appropriated by the Government.

(12.21.) THE CHAIRMAN: Friday is a Government night, subject to the obligation of putting down Supply as the first Order, and the arrangement for the evening is subject to alterations consequent on the Morning Sitting.

(12.21.) MR. T. M. HEALY: Does that not involve the obligation that the Government are to proceed with the Motion for Supply, and that when the Motions hon. Members desire to raise are exhausted, they should take Supply? Instead of this, the Government propose to appropriate the time to these Bills. I must say, speaking with all submission, that this is an irregular and unusual proceeding. Why was Supply withdrawn? Are not the Government anxious to proceed with Supply?

THE CHAIRMAN: Order, order!

Clause 1.

(12.22.) MR. SEXTON (Belfast, W.): I beg to move, Sir, that you do now report Progress. I have been a close observer of procedure for some years, and I have never known a transaction of the nature we have just met with. When a Division has been taken on the first Amendment to a Motion for Supply, it is usual for the Member having the next notice to proceed with the matter he desires to raise on the Main Question, and which he is entitled to discuss.

THE CHAIRMAN: In Committee on this Bill the hon. Member cannot discuss what may have happened in the House on a Motion for going into Committee on Supply.

MR. SEXTON: I merely wish to make my protest against the manoeuvre which has been practised: Supply being withdrawn before any Member could rise, and before we were aware of what was proceeding.

**THE CHAIRMAN :** The hon. Member is entitled to move to report Progress, but he cannot now enter into what happened before I was in the Chair. I am quite unconscious of what happened in the House, and the hon. Member cannot discuss that now.

**MR. SEXTON :** On the ground that by the proceeding which has been adopted we have been deprived of our Constitutional right to raise grievances on the Motion of Supply, I move that Progress be reported.

Motion made, and Question proposed, "That the Chairman do report Progress and ask leave to sit again."—(*Mr. Sexton.*)

(12.25.) **COLONEL HUGHES :** I support the Motion for reporting Progress. I appreciate the kindness of those who consider I had a right to proceed with the Motion I have upon the Paper. I was waiting to be called, but I understand that the original Motion to which my Motion was an Amendment, was withdrawn, and I was, therefore, precluded from moving my Motion. I can only think that was a slight upon myself, because it was done without a word of explanation.

**THE CHAIRMAN :** Order, order! I must point out again, as I have already pointed out to the hon. Member for West Belfast, it is incompetent for hon. Members on this Motion to discuss what happened when Mr. Speaker was in the Chair.

\***MR. W. H. SMITH :** I am sorry to find so serious a misapprehension prevails in certain quarters of the House as to the course which has been pursued. It was in perfect accordance with the rules of the House, and there was no intention of taking any advantage of my hon. and gallant Friend. I may, perhaps, be allowed to make this explanation to remove misapprehension. The hon. and gallant Member could not have made his Motion under any circumstances, because the question that Mr. Speaker should leave the Chair was carried by the Division which took place.

**MR. SEXTON :** But he might have discussed it. He might have made his speech.

\***MR. W. H. SMITH :** No doubt the hon. and gallant Gentleman might have made his speech, but he could not have made his Motion. I understand the hon. and gallant Member desired to do more than make a speech.

**COLONEL HUGHES :** No.

\***MR. W. H. SMITH :** The course taken was precisely that which has over and over again been taken under similar circumstances. All I can say now is that if hon. Members do not desire to make Progress, I have no objection to this Motion being carried, and then I will move the Adjournment of the House forthwith.

(12.28.) **DR. TANNER** (Cork Co., Mid): I want the First Lord to understand the real circumstances of the case in connection with to-night's Sitting. In the course of the last few days we were asked by a Conservative Whip whether there might not be a count-out taken this evening, and in the face of that—

**THE CHAIRMAN :** Order, order!

(12.28.) **MR. T. P. O'CONNOR :** I simply wish to put a question to the right hon. Gentleman in reference to Order No. 35 (School Board for London (Superannuation) Bill). It has been several times before the House. Are the Government prepared to accept the Second Reading and refer the Bill to a Select Committee? I am only raising the question in the interest of the hon. Baronet (Sir Richard Temple), to whom I have promised support.

(12.29.) **MR. T. M. HEALY :** The First Lord has suggested a course which is somewhat inconvenient. It is far better to run through the Orders than to have them deferred in a batch. It is far better to let the day's work be done in the day. There is no advantage in a sudden Motion for Adjournment.

\*(12.29.) **MR. W. H. SMITH :** On the whole, I think it is better to move the Adjournment, seeing there is no disposition to make progress with business we have before us.



(12.29.) MR. CONYBEARE: It is not that we object to making progress; we object to the shabby dodge the Government have resorted to.

Question put, and agreed to.

Committee report Progress; to sit again upon Monday next.

#### ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."—*(Mr. W. H. Smith.)*

(12.31.) MR. T. P. O'CONNOR: I am not going to oppose the Motion, but I call on the hon. Baronet the Member for Evesham to witness, that I have done my best to help him to get forward with the Bill in which School Board teachers are interested, and which I believe the Government are in favour of. I undertook to assist the hon. Baronet in facilitating the progress of the measure, and if I have failed it is not from any want of zeal on my part.

\*(12.31.) SIR R. TEMPLE (Worcester, Evesham): I thank the hon. Gentleman for his assistance, and I hope that on some other occasion our joint efforts may be more successful.

(12.32.) MR. T. M. HEALY: We cannot pass this Motion without a protest against the deliberate attempt of the First Lord of the Treasury to fasten upon us responsibility for it. The right hon. Gentleman says he makes the Motion because he understands there is a desire on our part not to go on with business. So far is that from the fact that we have made an offer to the Government to proceed with non-contentious business. Among this there are the Contagious Diseases (Animals) Pleuropneumonia Bill, a Government measure they profess to be anxious to get on with, the East India (Civil Servants) Committee, the Private Bill Procedure (Scotland) Bill, and there is the Statute Law Revision Bill, all Government Orders, which they might have proceeded with, but for reasons of their own, perhaps to furnish an election cry, the Government have deliberately refused the proposal

to go through the Orders, and they make this sudden Motion. We take note of their action. I suppose they have some motive in it, possibly it foreshadows an early dissolution, and an appeal to the country on the question of obstruction. If it does, I can tell the Government that they have attempted a bad piece of tactics. We made the offer to proceed with business in the usual way, and it was deliberately refused.

(12.33.) MR. SEXTON: If the right hon. Gentleman is unwilling to do more, perhaps he will tell us what he proposes to take between now and the adjournment for the holidays?

\*(12.33.) MR. W. H. SMITH: The desire of the Government is to pass the Budget Bill before the holidays, and to that end we propose to proceed with it day by day. In answer to the remark of the hon. Member for Longford I may point out that we did desire to proceed with a Bill that was practically uncontested, and were met with a Motion to report Progress. I yielded to that rather than subject the Committee to a protracted discussion, and had no alternative.

\*(12.34.) MR. CREMER (Shoreditch, Haggerston): I feel it my duty to make a protest against the course the Government have pursued, and, for my part, I am disposed to divide against the Motion now submitted to us, as a protest against the treatment meted out to the hon. Member for Woolwich (Colonel Hughes). If the Government did not care to utilise the three-quarters of an hour left after the Division surely they might have allowed the hon. Member the opportunity of discussing the important Motion standing in his name. It seems to me that when questions are attempted to be raised here vitally affecting the interests of thousands of our skilled artisans and labourers—I have noticed it on other occasions when efforts have been made to discuss these grievances—by some ingenious process the Motion is invariably shunted. Many of us remained in the House to-night for the purpose of supporting the hon.

Member on a question which, in my view, is a far more serious one than that upon which to-night we have wasted several hours' discussion. But, whatever view may be taken of its importance, we had the reasonable hope and expectation that it would be discussed. The Government have acted in a most disingenuous manner towards thousands of men whose complaints the hon. Member for Woolwich was to unfold to-night. If I get any assistance I shall register my protest by taking a Division.

(12.36.) MR. J. ROWLANDS (Finsbury, E.): I rose just now to make a similar protest, and I entirely endorse my hon. Friend's remarks. It was known that many of us were waiting here to take part in the very important discussion we expected. The importance of the subject has been indicated by the questions which, from time to time, have been asked, and to a very large number of the artisan class it is of serious interest. Though, by the Rules of the House, the Motion could not technically have been made, yet in three-quarters of an hour we could have ventilated the grievances complained of, and could have extracted from the Ministerial Bench some statement as to the action the Government are prepared to take. It is not a question necessary to divide upon; it is for the Government to say if they will assent to a Committee, and then we shall know what course to take in and out of the House. Instead of this, we have, if the expression is not un-Parliamentary, been jockeyed out of the Debate. I lodge my emphatic protest against this, and, if my hon. Friend divides, I will with pleasure act as Teller with him. Then, on another question. We have tried to get the School Board Superannuation Bill through the House, and, as the hon. Member for the Scotland Division has said, it would have been possible to have taken the Second Reading to-night. We all know the

deep interest taken in this measure by school teachers throughout the country, and the Second Reading might have been taken; but simply because the Government did not happen to have their way with the First Order the right hon. Gentleman turns round in dudgeon and says, there shall be no progress with anything else. I denounce this obstructive policy on the part of the Government.

(12.40.) MR. LABOUCHERE: I hope a Division will be taken as a protest against these tactics. We are frequently blamed for what is called wasting time, but here we are anxious and eager to do business, anxious to advance a Bill a stage, but because, for reasons that seem good to themselves, Members objected to proceeding with business unexpectedly brought on, the First Lord, in a fit of temper, makes this sudden Motion for adjournment. I think we certainly ought to divide against the Motion.

\*(12.41.) MR. F. S. POWELL (Wigan): I have but a single observation to make in reference to the School Board Superannuation Bill, and that is that I and others deeply interested in the work of voluntary schools should have opposed the Bill in the strongest manner possible, and the Second Reading could not have passed to-night. More than that, we have had support in our opposition from that quarter of the House from which we now hear of support to the Bill. It is a fact that hon. Members on the other side have on previous occasions raised objection to the Bill, and I have no doubt they will do the same on future occasions. It is, therefore, unfair to say that the action of the Government has in any way prevented the passing of the Bill.

(12.42.) MR. H. J. WILSON (Holmfirth): It is a fact that should not pass without comment that the Government can find day after day for the purpose of providing compensation for publicans, and yet they are unwilling to afford 40 minutes for the consideration of the griev-

ances of a body of public servants, whom the hon. and gallant Member for Woolwich represents. While they are prepared to spend millions in the one case—for though not now, millions are ultimately involved—they will not hear the grievances, or alleged grievances, to which the hon. Member desired to draw attention. I sincerely hope the protest will be carried to Division.

(12.43.) COLONEL HUGHES: I have no wish at all to provoke a fierce contention. I certainly was under the impression that it was competent for me, at least, to speak to the Motion of which I had given notice. Perhaps, Sir, you will be good enough to say whether I understand the point rightly. Is it the case that it was not possible for me, after the Division on the Motion for going into Supply, to even speak upon the second Motion? [*Cries of "No."*] Could I not even speak to my Motion unless the Government set up Supply a second time? [*Cries of "No."*] If that is the rule I must bow to it; but if I am incorrect it seems to me that somehow, in a manner I do not understand, I have lost a right I thought I possessed and should not have lost. Perhaps, Sir, I may have a word of explanation?

\*(12.44.) MR. SPEAKER: There was no need for the Government to set up Supply again for the purpose of enabling the hon. and gallant Member to speak; the Motion for Supply was still before the House after the Division. After the result of the Division was declared a Member of the Government rose at the Table and said, "Supply withdrawn, Supply Monday," and this I repeated from the Chair. I was not bound to call upon the hon. and gallant Gentleman, seeing that his Motion would be an Amendment to the Motion that I leave the Chair. The hon. and gallant Gentleman did not rise when, in a loud voice, I said, "Motion withdrawn, Supply Monday." This was what passed, and when the hon. and gallant Gentleman

*Mr. H. J. Wilson*

rose and said, "My Motion is not withdrawn," I said the Motion on which the hon. and gallant Member's notice gave him the right to speak was withdrawn. With the withdrawal of the Motion his right disappeared.

\*(12.45.) SIR JULIAN GOLDSMID (St. Pancras, E.): One question, Sir, I beg to put to you. Would it not be more convenient that the question for the withdrawal of the Motion for Supply should be put from the Chair in the same manner as ordinary questions upon which there is right of discussion? Probably in such a case no misunderstanding would have arisen. The hon. and gallant Member did not rise quickly enough, being under the impression that he would be called; and so the Motion for Supply was withdrawn apparently without objection. If, Sir, you could adopt the practice followed in the ordinary course of putting the Question "That the Motion be withdrawn," no such difficulty could arise.

\*(12.45.) MR. SPEAKER: The hon. Baronet will observe that I said "Motion withdrawn, Supply Monday." It was competent for any hon. Member to question that. I could not put the Question in any other way.

\*(12.46.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): May I ask you, Sir, would it not have been competent for the hon. Member to have made his speech on the Motion for withdrawal of Supply?

\*MR. SPEAKER: The hon. Member being under the impression that I would call upon him did not rise. But I was not bound to call upon him, though I expected him to rise; but, when the Motion for withdrawal came, I was under the impression that the whole thing had been arranged.

(12.47.) MR. ILLINGWORTH (Bradford, W.): I must say I think the Government have acted with very little consideration for one of their own supporters. They knew the hon. and gallant Gentleman had the notice on the Paper,

and they should have known the importance of the subject. I do not say what line I may have taken on the case put forward; but I do say it is a gross injustice towards a great body of men outside, as well as to those who had been waiting here through the evening, to refuse to have the case heard, and it is but scant courtesy to one of their own supporters.

(12.48.) MR. A. J. BALFOUR rising was met with cries of "spoken."

MR. T. P. O'CONNOR: I rise to order, Sir. The right hon. Gentleman has already spoken. If he asks the indulgence of the House I apprehend there will be no objection to his speaking again, but he has no right to speak again.

\*MR. SPEAKER: Only by the indulgence of the House can a Member speak the second time. [*Cries of "Ask indulgence."*]

\*MR. A. J. BALFOUR: I am quite willing to ask the indulgence of the House; but I think, Sir, you will allow that when I rose just now it was to ask your opinion on a point of order, and by doing this I am not aware that I exhausted my right of speaking. But I have no wish to insist on the right I think I possess, and I will ask the indulgence of hon. Gentlemen if they will listen to a word or two. We are attacked for a want of generosity towards those whom the hon. and gallant Gentleman so ably represents. But, in the first place, the Government have acted strictly in accordance with the usual practice; and, secondly, if the hon. and gallant Gentleman had thoroughly understood the procedure usual on these occasions, and had risen immediately after the Division had been declared, he would probably have been called upon, and he would have had the opportunity of making the statement he desires to make. He could have laid the case of the workmen in the Government establishments before the House, but he could not have made

his Motion or have taken a Division. All that the hon. and gallant Gentleman could have done under any circumstances was to make his speech, and he had the opportunity under the ordinary Rules of the House had he risen. The Government strictly followed the ordinary procedure on Friday nights, and nothing that was done was intended to prevent, or could have prevented, the hon. and gallant Gentleman making that statement to which we should all have listened with great interest.

(12.50.) MR. DILLON (Mayo, E.):

It seems to me the Government did not follow the usual course, but a very unusual course. What occurred? The hon. Member for Woolwich did rise to address the House as soon as the opportunity offered; but a Member of the Government, availing himself of his nearer proximity to the Table, took a course utterly without parallel in my recollection of proceedings on Friday nights. The Government, knowing there was a Member behind them who had an important Motion to bring forward—and I may mention a very embarrassing Motion, indeed, for the Government—a very important matter for consideration, and knowing that he would make his statement, without taking the trouble to look round to see whether the hon. Member was prepared to rise or not, sidled up to the Table and requested the withdrawal of the original Motion for Supply before the hon. Member or anyone else was aware of what was being done. The fact is, both the hon. Member and those of us on this side, who I may perhaps say are more up to the tricks and dodges of debate than the hon. and gallant Gentleman is, were taken by surprise by the rapid manoeuvre executed by the Government, and before we had time to appreciate the situation the right of the hon. Member for Woolwich was gone. All that I can say is, that if the Government had practised such a trick upon a Member of our Party they would hear a

great deal more of it than perhaps they may from their own supporters. I am sure the Government would not dream of attempting such a trick against one of their opponents. All I can say is, during the time I have been in the House, and I have been a close observer of proceedings, I have never seen such a thing done before.

(12.54.) Mr. MAC NEILL rose in his place, and claimed to move, "That the Question be now put;" but Mr. SPEAKER withheld his assent, and declined then to put that Question.

Debate resumed.

(12.54.) MR. CHARLES DARLING (Deptford): It was my desire to second the Motion standing in the name of my hon. Friend the Member for Woolwich, and, for my own part, I do not think—and I do not think that my hon. Friend believes either—that any kind of trick has been practised against us. It is perfectly obvious that if my hon. Friend had understood what the hon. Member calls the dodges of this House, as well as hon. Members do who have made them the subject of study and practice, he might, without being called upon, and after the Government had made the Motion for withdrawal, have done exactly what he could have done before. [*Cries of "No!" and "Divide!"*] It will be easier to divide if I am allowed to proceed without interruption. It is perfectly obvious my hon. Friend might have made the speech he intended to make, and others interested in the subject might have followed him; but, after all, the time at our disposal was only that between 12.15 and 1 o'clock, and, I must say, I think that those who have complained that we did not proceed with the subject at 12.15 are far more anxious to make out a grievance against the Government than to have an adequate and effective discussion of the subject itself. We desired to go to a Division, but  
Mr. Dillon

we could not have done so. ["Yes."] We could not have done so. I prefer the opinion of the Speaker to that of any hon. Member. We could not have gone to a Division. [*Cries of "Agreed."*] No, we are not agreed yet. What my hon. Friend and I, with others who support him, desire if we do not get the inquiry for which we ask is that we should be able to take a Division on the subject.

(12.58.) Mr. R. PHILIPPS (Lanark, Mid) rose in his place, and claimed to move, "That the Question be now put."

\*MR. SPEAKER: I have not thought it right to put the Question. The Motion before the House is the Adjournment; and in two minutes I shall, in accordance with the Rules of the House, leave the Chair, and, therefore, I do not think I am called upon to put the House to the trouble of a Division.

MR. SEXTON: On a point of order, Sir, I would ask you whether, if the hon. Member for Woolwich had spoken after the Division, he could not have divided the House on the Main Question, that you do leave the Chair?

\*MR. SPEAKER: Yes; the hon. Member could have challenged a Division on the Motion that I now leave the Chair, but not on his own Motion.

THE UNDER SECRETARY FOR INDIA (Sir J. GORST, Chatham): May I ask you, Sir, if any Member had objected to the withdrawal of Supply could the Motion have been withdrawn without discussion?

\*MR. SPEAKER: The Motion could not have been withdrawn under those circumstances. As I have already explained, I put the Question "Motion withdrawn," "Supply Monday." These were the words that passed my lips.

It being One of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at One o'clock  
till Monday next.

## HOUSE OF LORDS,

*Monday, 19th May, 1890.*

## COURT OF CHANCERY OF LANCASTER BILL.

(No. 93.)

A Bill to further improve the administration of justice in the Court of Chancery of the County Palatine of Lancaster: And

## OFFENCES COMMITTED ABROAD BILL.

(No. 94.)

A Bill to amend the law respecting the arrest, detention, trial, and punishment of persons committing offences abroad—were presented by the Lord Chancellor; read 1<sup>a</sup>; and to be printed.

## LOCAL GOVERNMENT AUDITS.

## QUESTION—OBSERVATIONS.

\*EARL SPENCER: My Lords, I have given private notice to my noble Friend the noble Earl who represents the Local Government Board of a question of considerable importance to County Councils, which I desire to ask. It relates to the audit under the Local Government Act of 1888. I understand that some of the auditors consider they ought to audit sums of money which have been paid by Quarter Sessions after the appointed day for current expenditure, which were due under their order, before the County Councils came into existence. Those amounts in some counties reach a very considerable sum, but whether the amount be considerable or not, it will involve considerable trouble on those who have to deal with the accounts. So far as I understand it, there is a clause in the Act which enables Magistrates after the appointed day to pay sums of this sort. The clause which I understand the auditors rely upon seems to me only to refer to mortgages and liabilities of that kind which are handed over to the County Councils; but what will possibly occur is this, that the auditors may insist upon auditing those sums paid by the Quarter Sessions, and, as it appears to me, for no purpose whatever. If every one of those charges should be incorrect the auditor could not surcharge the Magistrate, and he certainly could not surcharge the County Council. I should like, therefore, to

know from my noble Friend what view the Local Government Board take of this matter. It is a matter which affects a very considerable number of County Councils. I will, therefore, ask my noble Friend whether the auditors appointed under the Local Government Act, 1888, will audit payments made after the appointed day by the Justices of Quarter Sessions for expenditure incurred before their jurisdiction over county fiscal business ceased?

\*THE EARL OF JERSEY: The question which the noble Earl has put to me is one, no doubt, of great importance to County Councils at this moment, and I hope the answer I have to give him will put the matter in a clear and intelligible light. The Local Government Board considers that all payments which were made from the county treasuries after the 1st April, 1889, although they may have been made under orders of Justices in Quarter Sessions, are subject to audit by the County District Auditors. Section 64 of the Act of 1888 provides that after the appointed day, that is, the 1st April, 1889, all property and monies belonging to Quarter Sessions of a county shall be vested in the County Councils, and the monies in the hands of the County Treasurer who, up to that time, was an officer of Quarter Sessions, but who after the 1st April, 1889, became an officer of the County Council, therefore became the property of the County Council on that day. From that date the County Treasurer became under Section 118 (13) of the Act an officer of the County Council. As regards audit, it is expressly provided by Section 71 (3) of the Act that the accounts of the County Treasurer shall be subject to audit by the District Auditor appointed by the Local Government Board. If in any case the accounts of the payments which are referred to in the question have not been included in the accounts of the County Councils, it will not be necessary that those accounts should be rewritten. The requirements of the Statute will be regarded by the Local Government Board as satisfied if a supplemental or separate account is furnished in respect of the payments made by the treasurer after the appointed day under orders of Quarter Sessions. No doubt under

Section 106 (7) of the Act the Quarter Sessions are empowered to make after the appointed day orders for the ordinary quarterly payments; but as those payments will be made out of monies which have become vested in the County Council and by the County Treasury who has become an officer of the County Council, it appears to the Local Government Board that these payments, like all other payments made by the County Treasurer after the appointed day, should be included in the accounts submitted for audit. I will add that the Local Government Board, whilst it must insist upon an efficient audit, is anxious to cause as little trouble as possible to County Councils.

**THE EARL OF KIMBERLEY:** The noble Earl has not answered that part of my noble Friend's question as to the power of the County Councils, because neither of the bodies appears to be responsible to the auditor.

**\*EARL SPENCER:** What is the use of his auditing if he cannot surcharge anybody?

**\*THE EARL OF JERSEY:** It may be assumed that the accounts are correct, as they have been passed by the Quarter Sessions. It would be inconvenient, however, if sums of money which have been paid by the County Councils under orders of the Quarter Sessions could not be audited, as the payments have been made out of monies of the County Council, whose accounts must, according to Statute, be audited.

#### SOCIALISTIC LEGISLATION.

**\*THE EARL OF WEMYSS:** My Lords, I have on two previous occasions ventured to bring before your Lordships the subject which stands in my name on the Paper. I did so in 1885, and again in 1887, and I had hoped to do so again at the close of last Session, but illness prevented my being able to be present in your Lordships' House. On the last occasion my audience consisted of seven Peers, and I am not quite certain that they all sat out my speech. This time there is a goodly array of your Lordships present, which I attribute to the fact that Socialism is yearly acquiring greater importance. It is a subject which cannot be

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blinked, but which must be boldly looked in the face. But I am not sure, as regards the speaker, who has to bring this question forward, that it would not have been better for him that he should have the chance of boring seven rather than seventy of your Lordships. But I ask your Lordships' patience, as, without entering into some details, it is impossible to give your Lordships a fair summary of the Socialistic situation. On the last occasion I divided my subject into the Socialism of the streets, the Socialism of the schools or of the philosophers who wrote on the question, and the Socialism of the Senate, or legislative action. I propose to adhere to the same division, only inverting the order, the Socialism of the streets having of late acquired much more importance than it had when I first brought the subject forward. My Lords, I propose, then, first to call your attention to the most prominent of what I venture to call the Socialistic measures which have been either passed or brought into one or other of the Houses of Parliament. The first question, I have no doubt, which your Lordships will ask is, What is a Socialistic measure? ["Hear, hear!"] The noble Marquess cheers, but I will state that at once. The last time I spoke on this subject I defined Socialistic legislation to be "legislative curtailment of liberty and legislative confiscation of property for the benefit of the politician." But on this occasion I will apply a test to Bills which I think my noble Friends on my right cannot possibly object to. I hold all measures to be Socialistic which, up to a certain date, about 20 or 25 years ago, were held by the old Liberal Party, and by the political economists of those days, to be outside the province of Parliament. At that time the object of Parliament was to free men from restrictions and to take away whatever inequalities they considered to exist in legislation, so that men might be free and unfettered to run the race of life. At that time, down to 1860, so successful had Parliament been in freeing men by legislation that a well-known Liberal writer, Mr. Bagehot, said that there would soon be nothing left for Parliament to do. But, my Lords, this was in pre-Gladstonian days; since then a new spirit has arisen, for since 1870 all the endeavours of Parliament

have been directed to undo the work of previous Legislatures, and again impose restrictions. Land was, no doubt, the first subject of retrograde legislation, under the Irish Act of 1870. But since then every great interest in turn—houses, ships, railways—in short, all the great interests in the State, have been, more or less, the objects of attack and of grandmotherly legislation. I rejoice at that, and on this ground, that when the property of the Irish landlords was shamefully confiscated the other great interests stood calmly by and allowed this legislation to take place. It was as if they said to themselves, “Let the galled jade (land) wince, our withers are unwrung.” But they are no longer unwrung, and other interests now see the danger that hangs over them, for they are all, more or less, the subject of attack, and they find that they must combine, irrespective of Party, to resist the State Regulator and robber. My Lords, I have used a strong term, but I think the legislation that has been passed justifies it, and, indeed, to call a spade a spade is about the only satisfaction that is left to us. But while saying this, I wish to guard myself upon one point. I should like to express the sympathy I honestly feel for the poor. I do not believe there are any of your Lordships who have keener sympathy than myself with the trials of the poor, and the load that lies on the shoulders of labour, or who would more gladly lighten the toils of the worker and relieve him, if possible, of the burden he has to bear. But I do not think the best way to do that is by false economies; and the worst method of all is to shake confidence in the security of property—the soul of success and prosperity in a mercantile community—by confiscating the property of one set of people for the supposed benefit of another. There is, moreover, a vital point which should not be forgotten in considering these questions, and in taking what is called the harsh political-economy view of these measures. It should be remembered that we have had in this country—I do not know whether it exists in America, I know it does not exist in France, Belgium, or Germany—a Poor Law since the time of Elizabeth, under which property to the uttermost farthing can be rated, if need be, for the benefit of the poor. Now, my Lords, having prefaced this much, I turn to the Acts

and Bills which, within the last few years, have come before Parliament. I hold in my hand a list of those measures; and I am sorry to say that when you look over them you will find they are not all Liberal and Radical measures, but that the Conservatives have their fair share of them. Your Lordships will recollect the definition I have given of what I consider to be Socialistic measures, namely, measures which in the days of genuine true Liberalism would have been considered outside the province of Parliament. During the five years from 1885 to 1889 inclusive, 318 Bills of the character to which I refer were brought in, and 40 became Acts of Parliament. In 1888 there were 89 Bills of that character brought in, and eight became Acts. Of those 89 Bills, 51 were brought in by Liberals and Nationalists, and three of them were carried; 38 were brought in by Conservative Unionists, and five became Acts. In 1889 there were 67 Bills brought in, of which 10 became Acts; of those the Liberals and Nationalists brought in 35 Bills, and carried three as Acts, and 32 were brought in by Conservative Unionists, of which seven were carried. Now, my Lords, what is the character of all this legislation? It is to substitute State-help for self-help, to regulate and control men in their dealings one with another with regard to land or anything else. The State now forbids contracts, breaks contracts, makes contracts. The whole tendency is to substitute the State or the Municipality for the free action of the individual. I have said that land was the first subject of attack. I need not trouble your Lordships with many instances of that; I will simply state generally that measures affecting land are, in the main, for the purpose of putting the State or the tenants practically, more or less, in the position of the landlords, and to give them, more or less, control of the landlords' estates. Of the Acts passed in 1888 there were a Law of Distress Amendment Act as regards lands and houses, a measure for the preferential payment of wages, a Public Health Amendment Act, by which, without compensation, when landlords exercised their right of reserving land for building upon at any future time, they were deprived of it as regarded any gardens which they had temporarily set aside for that purpose. The tendency to State inter-



ference is seen in every direction ; land, capital and labour, railways and canals, trade and commerce, education, shipping, have been dealt with very freely in the same way. There has been a Government Bill dealing with technical education and providing for the addition of a technical workshop to every elementary school. But just listen for a moment, my Lords, to the sort of grandmotherly legislation we have had with regard to merchant ships. The Merchant Shipping Act of 1888 empowers the President of the Board of Trade to enforce various regulations upon the owners of sea-going ships by the imposition of £100 fine. Those are regulations affecting the quality and description of boats, life-rafts, life-jackets, and life-buoys to be carried, as to the method of using life-boats, and providing oil in stormy weather. Inspectors are appointed to see to those things. Under the head of trades and manufactures I find that the Employers' Liability Act has been extended, so that men shall not contract themselves out of the Act. There you have interference with contracts. In 1889 we had a very remarkable Bill brought in by the Conservatives, referring to cotton-cloth factories. It is to enable State Inspectors to regulate, under heavy fines, the amount of artificial moisture to be permitted in the atmosphere of the factories ; to prevent the temperature being raised above 70 degrees ; to ensure the placing in such factories, and keeping in working order, two standard wet and dry thermometers ; that the readings shall be recorded daily between certain hours, and that they shall be kept in a properly glazed frame ; and there are other provisions with regard to the inhalation of dust and the humidity of the air. That, my Lords, seems to me to be a stretch of even grandmotherly legislation. Then with regard to the Government Bill dealing with technical education—by which, as I understand, it is to be in the power of Local Bodies to establish technical schools, and to attach workshops to almost every school—I should like to ask what was the Kensington Museum established for ? What are the schools of art throughout the country in connection with it for but for this purpose ? And I believe they have worked very successfully. But, after all,

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it has not been by technical workshops, provided out of public funds, that England has obtained her supremacy in the manufacturing world. Lord Armstrong has condemned this system of public technical education, and he has written most ably against it. Further, there has sprung up of late a system of what are called "Home-Art Industries," originated, I believe, by my noble Friend, Earl Brownlow. It is spreading in all parts of the country, and I know it has succeeded admirably well in my own district. Most excellent work is being done in that way entirely voluntarily, without any demands being made upon the rates for establishing technical workshops, and simply, as many excellent things have grown up in this country, by the voluntary action of people who are free, enterprising, and independent. I venture, therefore, to say, my Lords, that these technical schools are neither necessary nor desirable. Let me now turn for a moment to the Bills which have been brought in within the last two years. I will only take a few of them. One measure which was to have come before the other House of Parliament, and which may, perhaps, some day reach your Lordships' House, is called the Access to Mountains Bill, which will empower people to go for scientific or artistic purposes everywhere except where there may be enclosures or plantations. That is really a measure to permit the public generally to roam at large. I am speaking in the presence of Scotchmen and Yorkshiremen who know what moors are, and I venture to say that, in regard to property, the value of the grouse on Scotch moors is probably equal to that of the sheep on them. Thus, this proposal might destroy much valuable property. If the Bill ever comes before your Lordships, I hope you will take care not to permit people to travel freely over moors, and destroy the grouse in the nesting season. I do not think that men would be allowed for a moment, for any scientific or artistic purposes, to walk freely through cabbage gardens, or over strawberry beds. The grouse and deer are about the most valuable properties our mountains produce. Then there is the question of fishing, in which many of your Lordships are interested. Another Bill has

been brought in to make all fishing common, except salmon. I am not sure whether it is that Bill which contains a very remarkable provision, but I know a Bill was brought in which insisted that the riparian owners, whose property was thus to be taken from them and given to the public, were to make paths along the rivers and streams, and if they did not do so, and their fences were broken down, the responsibility for any damage was thrown upon them, and not upon the trespassers. Next there was the Leasehold Enfranchisement Bill. That is a nice measure! It provides that anybody who has an unexpired lease of 20 years, shall be able to go to some Public Authority and claim to be allowed to transform his leasehold into a freehold. And not only does that refer to houses, but if there are three acres of ground he can enforce a sale. Can anything be more immoral than such a proposal? A man takes a lease, I do not care whether it be of a town house, a country house, or a cottage, with his eyes open, and having entered into a contract to give up peaceable possession at the end of his term, he comes to Parliament and asks Parliament to break his contract, and to enable him to force his landlord to sell. I venture to say that is absolutely and entirely immoral and demoralising. I am myself a tenant of the Crown in this City, and if I were to endeavour, by passing such a Bill as this, to force my landlord to sell I should consider myself neither more nor less than a thief! That may not be the view of the State; but I think it is the simple, plain, honest, and straightforward view of this question. Then there are three Bills which have reference to mines. One of them is called the Eight Hours' Bill, and another refers to quarries. This is a very remarkable Bill. It is brought in by a Liberal, and it prescribes the angle at which ladders are to be placed, the distances at which platforms are to be fixed; and, further, that an Inspector is to go round, and the owner or person working the quarry is to state to him the amount of produce from his mine and the quantity of metal in the mineral got. This is the way trade is expected to be carried on. If this proposal were to become law quarries would simply become unworkable to their owners, or those who at present work

them. I will pass over the Canals and Railways, though there is a Bill which proposes to empower Municipalities to force the sale of them. But there is one Conservative Bill which I will mention, which prescribes the size of the lettering at Railway Stations. There are 19 Bills affecting trade and manufactures. One of them is very remarkable, about hand-loom weaving. A Temporary Dwellings' Bill provides that an Inspector shall have power, at any time between the hours of 6 a.m. and 9 p.m., that is many hours after dark during a great part of the year, to enter temporary dwellings, including all houses on wheels excepting, I believe, shepherds' huts. Then there is another Bill to compel the payment of wages weekly. If you begin by compelling the payment of wages weekly, how long will it be, having once established such a principle as that, before you fix the rates of wages to be paid? Another compulsory measure is the Shops' Half-holiday Bill. Then there have been introduced no less than 10 Bills in reference to alcohol, with which I shall not trouble your Lordships further than to say that it is a pity that those in power listen as they do to those who, in regard to this matter of temperance, are so active and who make so much noise. They would do far better if they relied on the fact that 999 out of every 1,000 Englishmen prefer, on the whole, beer to water. I think we may say in England that every man has been more or less "sworn on the Horns at Highgate;" by which I believe it is understood that a man swears "he will never drink small-beer as long as he can get ale, and that he will never drink water as long as he can get small-beer." Yet we have Parliament giving heed to the noisy faddists who go about the country advocating all sorts of what they call reforms, and crying out for prohibitory legislation in the face of the fact that such legislation has signally failed wherever it has been tried, as in America and Canada. Your Lordships may remember a famous passage in one of Burke's speeches, in which he says that—

"To listen to the grasshoppers you would imagine they were the only occupants of a field in which a herd of oxen were quietly lying."

I believe that no Government is justified

in giving in to a baseless cry for legislation, which has been shown again and again to be a failure wherever it has been tried. Then, in regard to education, there have been some extraordinary proposals. A Bill entitled "Elementary Schools Continuance" proposes that there shall be taught drawing, book-keeping, shorthand, German, or some other foreign language, the properties of soils and manures, irrigation, draining, the principles of farming, the rotation of crops, the structural life of plants, the growing of fruit, vegetables, and flowers, botany, the rearing and keeping of cattle, pigs, and poultry, singing, calisthenics, musical drill, the use of tools, laundry work, art-handiwork, modelling, wood-carving, &c. One very comprehensive saving clause provides for instruction in any other "analogous subjects." Then Mr. Broadhurst says that he holds it to be the duty of the State to see that every child shall have daily "one good, sound, wholesome meal." This, of course, is to be provided for out of the rates. And if they are to be fed, my Lords, why not clothed? Why not let the State or the unhappy ratepayer, who is to stand *in loco parentis* to these children, take upon himself all the duties of their parents? When a rate is spoken of it is said, "Oh, it is only a  $\frac{1}{2}$ d. or 1d. or 2d. in the £1;" but the ocean is made up of drops. I know one estate on which the rents are down 25 per cent. and the rates up 50 per cent., and I believe that is by no means an exceptional case. On the contrary, I think it is very generally the case throughout the country. But who are the people who suffer most? My Lords, the people who suffer most from high rates are those poor people who are just able to keep their heads above water, and whom this additional halfpenny, penny, or twopence, may sink altogether. My Lords, I cannot pass from this question of the Senate and its legislation without touching upon the action of Trades Unions, because I think I am saying what is exactly to the point when I say that I believe our legislators are greatly influenced by the opinions of workmen, as expressed through their Trades Unions, and rightly so if those views are reasonable. What is the view of these Unions? There was a Congress, in 1888, at Bradford, and another in Dundee, in 1889. Let us see

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what is the view upon this kind of legislation of those who have the right to speak in the name of the working men, through their Trades Unions. Here are a few words from the President's Address at Bradford. He said that—

"The Eight Hours Bill is only a temporary measure. Land Reform will give permanent relief. It must be searching, durable; and give the land to the people. . . . Inspectors should be allowed to enter at all hours, without warrant, to see whether the work is properly carried on, whether it be in a bedroom, or anywhere else."

At the Congress at Dundee the President said that—

"The Eight Hours Bill is only a stop-gap."

A stop-gap till when, my Lords?

"Till light has spread, then, indeed, it will go hard with stock gamblers, land monopolists, rents and Royalties. With Trades Union Magistrates, Trades Union Parochial Managers, and with Trades Union M.P.'s, what could not be accomplished?"

The opinion of the Congress was in favour of Land Nationalisation. Then, my Lords, there is another new element in Socialism in a Public Body which has risen up among us. It is not a Senate, but it has its President, its Committees, and its Finance Minister. I believe it has powers of taxation, though, happily, it has not, as yet, the power of sanctioning public meetings in Trafalgar Square, nor has it got the police under its control. Your Lordships will readily see that I refer to the London County Council, and I regret that the head of the London County Council is not in his place tonight. Nowhere in this island are predatory principles more in vogue than in the London County Council, and nowhere is grandmotherly legislation so palatially housed as is the London County Council in the splendid hall that has just been constructed for them. It seems to me, from a picture I have seen in the *Illustrated London News*, that the Throne of Her Majesty in this Chamber is as a common chair compared with the seat which the President has had constructed for himself out of our rates. Let us see what is the sort of legislation that finds favour in the London County Council. They propose, amongst other things, to prescribe the kind of grate that everyone is to use in his rooms; they wish to have the control of meetings in

Trafalgar Square; and it is proposed by an important member that no contracts should be taken up save those in which the labour is to be well paid. There is a proposal that all loans for permanent works or improvements shall be placed hereafter upon such persons as the law may direct, all contracts to the contrary notwithstanding. That is, they are to be dealt with entirely without reference to any contracts which may have been made with regard to those loans. Of the betterment question I will not speak beyond this, as it is under the consideration of a Committee in "another place;" but it seems to me that the members of the Surveyors' Institute have given the best answer when they point out that there is, *per contra*, a "detriment" question, where the traffic has been diverted by the alteration or betterment; and I think, where you have to consider detriment against betterment, the one would be simply a set-off against the other. Then, on the great question of the day—the housing of the working classes—they propose to take by compulsion without compensation, for prospective advantages, property for the people engaged in industry, both inside and outside the Metropolitan area. They are to build for them baths, wash-houses, and "other suitable structures;" provide open spaces for their convenience within the Metropolitan area and five miles beyond. Kitchens, nurseries, dining-halls, and other rooms for joint use, and buildings for shops and "other purposes" are to be provided. Every weekly tenant, if his house is demolished after 12 months' occupation, is to receive £1 compensation, and for every year up to 15 years' occupation; the best accommodation is to be found at the lowest rent; suitable places are to be provided for donkeys, costermongers' barrows, and other things, and facilities for home industries. That is the little bill-of-fare of the London County Council for the housing of the working classes. With regard to this question, I hold that the only duty of the State is negative. The only duty of the State or Municipality is to say that buildings unfit for habitation shall not be permitted. I think that is proper and legitimate; but if this sort of thing is to be done by Municipalities out of the rates, if the Government is to encourage

this sort of thing, it will be interfering with private enterprise and the independent action that is going on at present. Nothing could be better than Sir Sydney Waterlow's scheme, which was working very well long before this proposition was put forward; and I say that nothing can be better than to leave such free action to supply what is wanted. Then, again, the London County Council has passed a resolution urging the Government to seize the property of the City Companies, and, I suppose, hand it over to them. That resolution was carried by 57 to 40. Looking, then, at the economic doctrines which prevail in the London County Council, considering how they refer back to a long past time in our history, I cannot help thinking that any Plantagenet Exhibition which might be held at the New Gallery, or anywhere else, would be incomplete without a bust of the Chairman of the London County Council; and, looking at the predatory character of the proposals which they would like to see inaugurated, I cannot but feel that the doors of their palatial chamber require no lock and key, but that they will fly wide open when the members approach them, and say: "Open Sesame!" I can only hope that the Oriental parallel will be completed, and that the spirit of Morgiana will be infused into the Metropolitan Electorate before the next London County Council election. My Lords, I have done now with the Senate and the different hearings of its Socialistic legislation, and I come now to what I have termed the Socialism of the Schools. In illustration of this, I will only trouble your Lordships with one quotation, and that is from a Paper read before the British Association, in 1888, by Mr. Bernard Shaw. He is a member of the Fabian Society, and I am told that he is reckoned the ablest writer and the best reasoner upon the Socialistic question. What is his view? It is a very simple one. But first, I had better say what "Fabian" means. As explained to me, it means that this Society does not look to revolution to make its ways prevail, but trusts to Fabian tactics, to silent influences, and the potent action of legislation. Mr. Bernard Shaw's Paper was entitled "The Transition to Social Democracy," and in one passage he said—

"Socialism involves the transfer of rent to the whole people. Here is the rent from industry, here are the pockets of the proprietors; drop the rents into the people's pocket. Organisation of industry required capital and land, to be obtained by the expropriation of landlords, and the taxation of rent."

The problem, then, is a very simple one. The land is to be appropriated to the people by the expropriation of the landlords and the taxation of rents. That, I think, will be especially interesting to noble Lords who receive rents. Then there is another branch of Socialism which I will just touch upon, and that is what may be called Sacerdotal Socialism. Cardinal Manning has recently taken an active part in the dock labourer's strike, and his view of these questions can be obtained from his utterances on the subject of early shop-closing, with reference to which he has said that no remedy except by legislation would ever be adequate. My Lords, I come now to the question of the public meetings in the streets, to show the tone that prevails there. At public Socialistic meetings, the general character of the speeches is violent abuse of holders of property, and the speeches tend greatly to disorder. I need not mention the names of the leading Socialists who use that language; their names are familiar to your Lordships. In two years there have been 37 important public meetings in London alone. In 1888, at a Social Democratic meeting, all the leaders were present, and the sacerdotal element, as I have called it, was represented by the Rev. Stewart Headlam, who called upon the white slaves to possess themselves of the County Councils, the Municipalities, and the State; using the power gained to possess the land, factories, mines, and all the means and instruments of production. That is what real Socialism means. It does not mean attacks upon land alone, but upon unearned increment of all kinds, the idea being that the State or the Municipality should possess all the means and instruments of production. On January 1, 1889, at a public meeting, Mr. Williams threatened—

"That they would go in a body to Grosvenor House and Buckingham Palace, and parade all the thieves and criminals for the benefit of the pot-bellied aldermen and the idlers of the West End."

Mr. Morris, poet, Socialist, and high art  
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manufacturer, was present on that occasion. On January 8, at a meeting of the unemployed near the Marble Arch, Mr. Burns said—

"By Heaven, their rights were worth fighting for."

and Mr. Williams said—and I would specially call the Prime Minister's attention to this—

"There were thousands ready to cut off Lord Salisbury's head, like the French in 1789. They would terrorise Parliament, and knock down Members of Parliament like bullocks."

On July 1st a mob, headed by the editor of *Justice*, broke in upon and dissolved for a time the Bermondsey Vestry. On the 25th August, at a meeting of dock labourers in Hyde Park, Mr. Burns said that the letters of the Dock Companies' Directors "expressed the sentiments of ghouls and financial Jack-Rippers." On August 30th an appeal was signed by the leading Socialists asking all the trades to strike on the same day and paralyse trade of every kind. On November 17th a very nice meeting took place at the Guildhall Tavern. It was not an ordinary meeting of people in the streets, but a meeting of shopkeepers; and what did they ask? They asked for a Court to fix rent, that rates should be divided between the tenant and the landlord, all contracts to the contrary notwithstanding, that tenants should have a vested right in goodwill, a right to compensation for unexhausted improvements, and leasehold enfranchisement. When I read that, it struck me that there was a strange omission in this programme. Surely they must have intended that the Court that is to fix rent should fix the prices of commodities also, for if rents are to be fixed for the benefit of the shopkeeper prices ought to be fixed for the benefit of his customer. I think that does not admit of dispute for one moment. And now, my Lords, I will give the last quotation with which I shall trouble you on this head. First let me state, however, that on the 15th November, at a meeting of the Liberal Union, Mr. Causton, M.P., in the chair, it was decided that, if their demands were not granted, a Liberal Party should be formed on the lines of the Irish Party. On December 22nd, at a meeting held in connection with the gas strike, a speaker said—

"That a man like Livesey"

—that is the gentleman who showed so much firmness in dealing with the strikers—

“had no right to live, and that the man was a hero who went that night and murdered him;”

and that atrocious expression of opinion at a public meeting was loudly applauded. Now, I would say a few words respecting this question of strikes. In 1866 I sat on the Trade Unions Commission for two years, but I had previously had occasion to consider the subject, as I had addressed the miners at Dalkeith upon Trades Unions and strikes; and had formed the opinion that all a successful strike could do was to anticipate a rise in wages and to check a fall. After sitting on the Commission for two years I remained of the same opinion. The Commission recommended that Trades Unions, which had been up to that time illegal, as being in restraint of trade, should be legalised. But certainly it never entered the heads of those who formed the Commission to legalise tyranny over men who did not wish and who declined to belong to Unions. Surely, my Lords, it is the duty of the Government, of every Municipality, and of the police, and of everybody to take care that the man who has for his only property free right to labour shall be at liberty to sell that labour in whatever market he chooses. During the gas strike a most painful and shameful thing occurred. The Trades Unions in London having declined, on behalf of the men, to accept the wages that were offered, a body of Scotch labourers came up to the Metropolis from Dundee, but they were not allowed to enter upon their proposed service. They were hustled off, and had to beg their way back to Dundee. I say it is a disgrace that such a thing could be possible in a country which professes to protect liberty and to give the right to free labour. Now, my Lords, I have so far dealt with this subject; but I think I should be treating it incompletely if I failed to bring before your Lordships the views taken upon this question, and their utterances upon it, of some prominent public men. Politicians are all, more or less, worshippers of the “jumping cat,” and by the actions and speeches of public men you can often gauge the pressure that there is outside which is forcing them

in a particular direction. Now, my Lords, I propose to call your Lordships' attention to the sayings of some of our public men of note. The first I will take is Sir William Harcourt. Sir William Harcourt was called, in another place, two years ago, “The high priest of the jumping cat,” and he has recently said, “We are all Socialists now.” That was a very remarkable statement coming from Sir William Harcourt; for it will be in the recollection of my noble Friend the Prime Minister and of others in Parliament at the time that it was Sir William Harcourt who, some 20 years ago, ran off to Oxford with Mr. Schofield's “Grandmother,”—Mr. Schofield being the inventor of the phrase, “Grandmotherly legislation.” Sir William Harcourt was so enamoured of it that he took this respectable old lady down to Oxford and made immense political capital out of her; turning her on all occasions into ridicule. But when he had to go to Derby to conciliate another constituency, finding they had there a great respect for the old lady, he completely changed his views, and has since taken every opportunity of praising her—in public. That shows, I think, if anything can, the contrast between the utterances of 20 years ago and now on these questions. Then my noble Friend Lord Rosebery said, I think it was at Glasgow, that—

“Democracy would deal very summarily with all questions of land, and especially summarily with the question of land in towns;”

and Mr. Morley, who stood stoutly out against the eight hours movement, said that—

“Democracy would not be tender to vested interests.”

That, I take it, means that Democracy will rob right and left. But if anyone wants to know what is the real Liberal programme of the future, he should turn to an address delivered by Sir C. Dilke at Glasgow, who is endeavouring to work and bribe his way back to public life. In this address he said he looked forward to the time when brains and heredity would be at a discount as compared with strong arms, when every one would work, when there would be no lazybones, shorter hours, more diffused work, when there would be free education up to the University, a working day of eight hours, compulsory

acquisition of land, fair judicial rents, security of tenure, a division of rates between landlord and tenant, graduation of municipal rates, equalisation and graduation of Death Duties, manhood and womanhood suffrage, four Home Rule Parliaments, payment of Members of Parliament and of Local Bodies, and many other extreme changes. But, my Lords, if I wanted to point to one thing which more than another shows the Socialistic tendencies of the time, I should find it, I think, in the Report recently drawn up by the Committee of your Lordships' House appointed upon the subject of Sweating. The Report of the Sweating Committee contains recommendations that the weight and size of hammers with which women worked and that chains made by them should be regulated by Statute. Why should they not carry that a little further, and prescribe the weight of every scuttle of coals that is to be carried upstairs by the housemaids in your Lordships' houses? But the most serious of the recommendations of that Committee is one which suggests that Public Bodies should take every precaution in their power to insure fair and reasonable terms to their workers. I see before me a noble Lord who was a member of that Committee, and I should like to ask him if he can make out that that does not mean really fixing wages?

THE EARL OF DERBY: No; certainly not.

\*EARL WEMYSS: Then I should like to be informed, if they do not propose to do that, what they mean by "insuring fair and reasonable terms to the workers?" Practically, that would make them judges of what is, and what is not, sufficient pay. Two years ago, when speaking on this subject, I referred to the noble stand made by Mr. Bradlaugh against the feeling prevailing amongst working men in favour of State interference and Socialistic grandmotherly legislation. Lately, I find, he has made a similar stand upon the eight hours question. All honour to Mr. Bradlaugh for speaking as he did! He said the proposal, if carried out, would, in his opinion,

"Have a most demoralising effect upon the labouring classes. Let the working men encourage a spirit of self-reliance and settle their hours of labour for themselves. Parliament cannot make backbones for men who

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have not got them; and to legislate for the weakest and most helpless would discourage the strongest and most vigorous in the continuance of the efforts they have hitherto made, and which have advanced this country before the other nations of the world."

That was a portion of his speech delivered in the House of Commons on the 24th February. But, my Lords, what is all important at the present time, surrounded as we are by all these Socialistic tendencies, is to know what are the views of the Prime Minister on the subject. I was delighted to read that at a great meeting held at Nottingham in the winter my noble Friend at the head of the Government, while expressing full sympathy with labour, and with the poor, showed the folly and certain failure in the long run of wild attempts to benefit them by proposals to rob other people. He spoke thus—

"On confidence is built the proud structure of our commercial supremacy; on confidence is based the vast fabric of civilisation which we see around us; and if you encourage these peddling philosophers with their petty, spiteful acts of confiscation, animated by no philanthropic spirit, but by a mere impulse of class antipathy, if you allow them to have their way, the substratum of all your civilisation and prosperity and happiness will melt away."

Those, my Lords, are words of wisdom, and I hope they will be taken to heart by those Conservatives who are inclined to coquette with Socialistic legislation, and have brought in such Bills as I have referred to. Not long ago it was my good fortune to hear my noble Friend at the Royal Academy ridicule grandmotherly legislation. Your Lordships have no doubt read the speech that he then made. It was as wise as it was witty. He assured the Royal Academy that the one thing they needed, as in regard to other institutions, was to be left alone, and he turned the whole idea of State interference into consummate ridicule. He also made some comparison between my noble Friends on the right, and their position with one of the pictures, to which, however, I need not further allude, and I will only say that it is a comfort that we have a Prime Minister who can give utterance to doctrine so wise. I have only one other point to call your Lordships' attention to, and it is that this Socialistic legislation is hurtful to trade, and to industry alike. I believe that those who encourage it are really the worst friends of the working man—I

mean this kind of Socialistic legislation, which destroys confidence. Nay, more, I believe that by substituting State aid for self-help you tend to destroy the very fibre and moral character of the nation. There comes to us upon this point a voice from Central Africa, for I find that Mr. Stanley, speaking the other day at St. James's Hall, when giving credit to those who had served with him and endured terrible sufferings with so much courage, said—

“Darkest Africa had been to them a fiery furnace, a crucible, and a question chamber which have tried each of them to the very depths of their natures, and they have borne every trial to which they have been subjected with more than Spartan—with old English—fortitude, before mawkishness and mock sentimentality had rendered men maudlin.”

Those words from the great explorer of the great Dark Continent it would be well for all to take to heart. My Lords, it now only remains for me to thank you for listening to me for so long a time; but before I sit down I would point out that the time of my bringing forward these Socialistic questions is singularly appropriate. We are still in the month of May. It was inaugurated, not as the merrie month of May was of old in the days of Merrie England, but by an organised demonstration of labour throughout the civilised world. On the Continent those demonstrations were viewed with alarm; but by the action taken by the Governments all danger was removed, and they have all passed over without the occurrence of any event which there might have been cause to deplore. In our own country also there was a similar and vast trades demonstration sanctioned and escorted by the police. Thanks to the good conduct and order maintained by the people themselves it all passed off in the quietest and most satisfactory manner. But even here, my Lords, words were spoken by one of the Socialistic leaders which showed the spirit in which the demonstrations were got up. Mr. John Burns, when a band passed the platform from which he was addressing the meeting, playing the “Marseillaise,” said, “We can stand the ‘Marseillaise,’ but we could not have stood ‘God save the Queen.’” That shows, my Lords, the spirit which animates some, at all events, of the leaders of the Socialistic movement in this country. But all these matters, to

which I have referred for the purpose of showing the spirit which animates Socialism, and what an element Socialism is now in the politics of our country, sink into insignificance compared with the great Labour Conference held at Berlin. Our country was represented there—whether rightly or wrongly I do not pretend to say—but we ought to be thankful that we have come out of it untrammelled and uncommitted, above all, upon the vital question of State regulation of adult male labour. Once pass that line within which adult men are left free to contract for their labour as they like, and we shall take a leap, my Lords, not, indeed, in the dark, but from light into darkness—from the light of sound economic science back into the dark ages of our past legislative economic errors. I trust, my Lords, that that leap will never be taken by the Legislature of this country; and that if any such Bill comes to your Lordships' House I hope you will resist its passing to the utmost, whatever the consequences to your Lordships may be.

\*THE EARL OF DUNRAVEN: My Lords, the noble Earl has made a very interesting and somewhat discursive speech. He has called your Lordships' attention to the Poor Law, dating back to the time of Queen Elizabeth, and he has also placed before you a programme of what is to come in the future, as announced the other day by Sir Charles Dilke. But, my Lords, the noble Earl made very few allusions to the subject of the notice which he has placed upon the Paper, namely, to call attention to the Socialistic Legislation of the last two Sessions. The Acts of Parliament to which the noble Lord has alluded are exceedingly few, although he has given a long list of Bills, which are very different things. He has called our attention to the saying of agitators and others, the utterances of men excited at public meetings. He has referred to the writings of lights of the Fabian Society, and of many other authorities on that and other subjects, but he scarcely alluded to the Acts of Parliament at all. Acts which were designed, like the Merchant Shipping Act, and two or three Acts of a similar kind, to protect the lives of men from unnecessary peril, ought not to be called Socialistic measures. Those Acts were



so designed, and have, I fancy, proved tolerably successful for the purpose for which they were intended. The noble Earl gave no definition of what he means by Socialistic legislation or of sound political economy. If the noble Lord had only explained what we are to understand by sound political economy, he would have made a valuable contribution to the Debates of Parliament, and to our stock of knowledge, because the writers on political economy at the present day appear to contradict in almost every particular the writers on political economy a quarter of a century ago. The speech of the noble Earl was full of interest; it was also a very feeling speech. I know it affected me, and I think it must have affected your Lordships, to contemplate the mental condition to which the mere spectres which the noble Earl has conjured up have reduced him when he said that, owing to the Socialistic tendencies of the past 25 years, the only pleasure left to him in life was to "call a spade a spade." It is a perfectly innocent amusement, and it has the merit of being absolutely true; but it is a rather dismal kind of pastime for him to indulge in, as the only means of relief from the cares and duties of life. But I think the difference between legislation which might rightly be called Socialistic, and legislation designed to protect people from dangers, physical or other, from which they cannot protect themselves, was sufficiently instanced by what the noble Earl said in reference to the Report of the Committee on the Sweating System. He mentioned the fact that the Committee recommend that women should not be allowed to cut cold iron with an "oliver" beyond a certain weight, and that they should not be allowed to make chains beyond a certain size; and he asked you whether, if you entertain such proposals, you ought not logically to pass an Act of Parliament to prevent housemaids being overburdened by the weight of coalscuttles. As to the suggestion that the size and weight of coalscuttles of the housemaids in your Lordships' houses might have to be regulated, I admit that if there was an overwhelming weight of evidence given before a Committee that the coalscuttles in the noble Earl's house were of such a gigantic size, and that the lifting of them caused physical

*The Earl of Dunraven*

detriment to the noble Earl's housemaids, I should be of opinion that the noble Earl ought to be restrained in the use of such coalscuttles. I think, my Lords, that is a fair example of the fact that the noble Earl does not seem to draw a proper distinction between Socialistic Acts of Parliament and Acts of Parliament which are really intended to prevent injury being inflicted where injury might and ought to be avoided. I do not venture to anticipate any discussion which may take place at a later date on the Report of the Sweating Committee, and I do not wish to be led into an academic argument upon what is and what is not Socialism or Socialistic legislation; I merely rise to say that it is perfectly true, as the noble Earl has said, that the legislation of the last 25 years has been very different from, say, the legislation of the 25 years preceding it, in the fact that the former legislation was directed to the removal of restrictions, and that of late years it has been found advisable—necessary, as I think—that some restriction should be placed on the liberty of people to injure others. But, after all, that only means that Parliament has recognised that different circumstances require different laws; that the circumstances under which industry was carried on at the present day are not precisely the same as those which existed a quarter of a century ago. I hope that in dealing in that practical way with the problems which present themselves for consideration Parliament will not allow itself to be influenced by the spectres and the bogeys which appear to have so much troubled the mind of the noble Earl.

EARL COWPER: My Lords, I am sure we have all listened with the greatest interest to the speech of my noble Friend in bringing this subject forward. I believe that a great many Members of your Lordships' House who came down last week in the hope of then having that gratification were very much disappointed when the noble Earl thought proper to postpone it. He has made an interesting and able speech, and I hope we may have something of the same entertaining nature from him every year for some time to come. I sincerely hope my noble Friend may live many years in order to give us that gratification. The subject is a most

important one. All the great questions of the day which are occupying the minds of thinking men, and which are being taken up by statesmen, involve more or less the question of Socialism. The overcrowding in our great towns, the terrible revelations so simply, yet so clearly and so forcibly, put in the Report of the Sweating Committee, the unnecessary dangers to which our merchant sailors are exposed, and many similar subjects which I need not enumerate, all involve the question as to how far the State is justified in interfering. No doubt it is a sound principle that people ought not to be taught to look to the State for everything; but I think, while repudiating the idea that the State is to do everything, it would be a great mistake to fall into the opposite error that the State is to do nothing. We must, in fact, as we have had to do in so many other cases, steer between two extremes. I will not go into all the points of the interesting speech my noble Friend has made. We have heard his enumeration of the measures which he condemns, and he appears to admit in some degree the principle that everything ought to be considered on its own merits and not according to any hard-and-fast rule, or disposed of by the formula that the State has nothing to do with anything of that kind. He showed fallacies and absurdities in some of those proposed measures, and was quite justified in doing so. But some which he enumerated, like the Bill for the Mitigation of the Law of Distress, for instance, could hardly be called Socialistic measures. On the contrary, the tendency of that Bill was to place the landlord on the same footing as other creditors, and it was a measure rather for repealing former legislation than for enacting new legislation. Neither could the question of the action of the police with regard to meetings in Trafalgar Square, or who is to have the control of the police, whether the Home Office or the County Council, be properly described as a branch of Socialism. But my noble Friend admits the proposition which I am so anxious to lay down, that every question is to be settled upon its own merits, and simply with regard to the point whether that particular legislation on that particular subject will do good or harm. I will take the instance of the Eight Hours'

Question. Everybody who has any knowledge of the terrible state of things which exists, everyone who remembers that in certain cases and under certain conditions persons have to work from 6 o'clock in the morning until midnight for a mere pittance, being thus worn out prematurely in body and mind, must certainly feel that the limitation of labour has, at first sight, something to say for itself. This Eight Hours' Question has, no doubt, obtained a strong hold on the country; and if your Lordships wish to combat such views, it must not be by applying the epithet of "grandmotherly legislation" or by asking what the State has to do with private contracts. Some one must, if it is desired to combat such views, take the trouble to show that that legislation would be positively harmful to the very class which it is intended to benefit. That must be plainly proved. It must be shown clearly that such legislation would probably lead to work being carried on in holes and corners without check, and would have the effect of driving away capital; but it will not do to dispose of the question merely on hard-and-fast lines and by saying that the State must never interfere in the relations between man and man. My Lords, I have only risen to say this: it is utterly impossible for us now to lay down the rule that the State cannot interfere with these things. We have gone a great deal too far in the opposite direction to be able to say that. We are in the midst of things in which the State has interfered in every way. Look, for instance, at the questions which were brought before the Berlin Conference. It had a great effect there when it was shown that in this country the hours of labour are limited, because there is a day of rest on Sunday. What argument is there that can be used in favour of that which cannot be used in other matters which are called Socialistic? Then, again, there is the limitation in the work of women and children by the Factory Act. That is clearly Socialistic, and it would be impossible to go back now. If we compare the far better state of things now with that which existed before Lord Shaftesbury took up the question, we cannot assume that the State is never to interfere. Many things are now made subject to regulation. Even the plying

of the hack cabs, by which any of your Lordships may drive from this House, is regulated by the Legislature. The legislation dealing with the truck system, by which people are not allowed to pay those who work for them in kind, and the licensing question of which we are now talking, as if we were going to interfere in it for the first time, though it has always been a matter of regulation, are in the same category. We cannot, therefore, go back to the system which Mr. Herbert Spencer and his followers advocate, of leaving everything to settle itself. We have abandoned that principle long ago. What I maintain is that we must proceed, on the lines we hitherto have followed. And what have been the lines on which we have hitherto proceeded, almost ever since the existence of Parliament? Not to lay down any general principle, but to debate every question on its own merits; to see whether, in the opinion of thinking and experienced men, who know what they are legislating about, the particular measure brought forward will do harm or good. This is the plan we must continue to pursue; and it is only by feeling our way, by doing what is apparently good, what we have every reason to believe is good, and by not going too fast, but steadily and gradually, and if we find we have made a mistake, drawing back and not going upon that line for the future, that we may hope to grapple in some degree with the great problems before us.

**THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY):** My Lords, the other day, when I was detained elsewhere, my noble Friend did me the honour of putting off the date for delivering his speech on the subject of Socialistic legislation, because I did not happen to be present in your Lordships' House. I took that as a hint that I am expected to make some observations in this Debate. That is my only reason for trespassing on your Lordships' attention for a few minutes in case my noble Friend, were I to do otherwise, should consider that I was guilty of disrespect towards him. But I fear that, after the two speeches to which we have just listened, I have little to add that would be of use in considering this subject. The noble Earl has brought before us an

*Earl Cowper*

extraordinary mixture and medley of things; every kind of subject, drawn from every kind of source; some projects which are utterly ridiculous and absurd; others which are open to condemnation; others which are decidedly beneficial; some drawn from Acts of Parliament, some drawn from Bills which very irregularly he discussed, though they are now pending in the other House; some drawn from observations made by gentlemen at meetings in Hyde Park or Trafalgar Square. Well, I can only give very much the same answer to these things that has been given by my noble Friend who has just sat down. I do not think it is our habit in this country to ask how proposals are to be classified before we determine what we are to do with them. We no more ask what is the derivation or philosophical extraction of a proposal before we adopt it than a wise man would ask the character of a footman's grandfather before engaging the footman. What we want to know is the character of the proposal itself, not how it is to be classified; not where it comes from, or what motive has prompted it, but whether it is good or bad, wholesome or unwholesome. As my noble Friend who has just sat down has said, we ought first to discuss every subject on its own merits. It is astonishing how many different ideas are mixed up under this name of Socialism. And I cannot help thinking that, although my noble Friend adds to the gorgeous variety of his speech by the number of subjects which he introduces into it, he only detracts from the force of his arguments by bringing so many different ideas under the denomination of one word. I take Socialism in its strict meaning to be for the State to do that which is usually done by private people for the sake of gain. I believe that that is sometimes a very unwise thing; on the other hand, it is sometimes a very wise thing. There is nothing so Socialistic as the Mint or the Post Office. No doubt my noble Friend is right in saying that at the present day there is a strong leaning towards bringing in the interference of the State on every possible occasion, and I think that is a tendency against which it is right that we should be upon our guard. It is not that we sin against any principle, but that we expect from the State what it cannot possibly

do if we impose upon it tasks which it cannot fitly perform or burdens beyond its power; all we shall do will be to create an indefinite source of expense, and ultimately an unlimited cause of corruption and inefficiency. My noble Friend includes in the word a number of things which have nothing whatever to do with Socialism. For instance, many things are now done by the State which were not done before, because we have become much more careful of human life during the last 25 or 30 years, and especially of the lives and interests of those who are defenceless—that is to say, of women and children; but these things have nothing to do with Socialism. New dangers have arisen in consequence of the development and the concentration of our industries, which the State has always acknowledged its bounden duty to meet, and consequently we have had new measures to take to prevent them. But that has nothing on earth to do with Socialism. Then there is another class of measures which my noble Friend alluded to—measures proposed for interfering with grouse and fish—very foolish measures—but there is not the slightest probability, I should say, that they will ever find their way into the Statute Book. They may represent a transitory phase of class antipathy, but they are not Socialism; they have nothing to do with the principle of the State doing what would be much better done by private individuals. Then, again, my noble Friend referred to what he called the robbery and confiscation which has characterised recent legislation, and he referred especially to the legislation with respect to Ireland. I have expressed my opinion too often in this House with regard to that legislation for it to be in the least degree necessary for me now to repeat it. But my noble Friend makes a mistake in mixing that question of legislative honesty in any degree with the question of legislative Socialism. We are accustomed to think that this interference with landlords' rights in Ireland is a specially democratic proceeding, and very indicative of the spirit of the times. I came across the other day—I think it was in some letters which have been published of the Earl of Strafford—an account of the proceedings which took place in that day. There was a nobleman of very large property in

Kent, the Earl of Thanet, who was guilty of what was then called depopulation, but in these days would be called eviction. He did nothing in the least illegal; all he did was to diminish the holdings of his tenants, and to resume his land, but because that had the effect of diminishing the rural population in Kent the Earl of Thanet was had up before the Star Chamber before Archbishop Laud, and was fined £10,000, and that proceeding was very much lauded by the Earl of Strafford. Therefore, my noble Friend will find that the Land League of Ireland, Archbishop Laud, and the Earl of Strafford were all equally guilty of Socialism. I am quite willing to acknowledge the plain and frank-spoken language of my noble Friend when he enumerates the kind of words he would like to attach to spoliation of this character; but I feel that he loses one of the strongest arguments against that kind of legislation when he includes it in a class to which it does not belong, gives to it a philosophical and legislative extraction which cannot be recognised as having really any reference to it, and when he mixes up an attempt—if you will, a blundering attempt—at the solution of some of the most difficult problems of the day with legislation which has nothing in it new or unusual, but which he condemns as an innovation of private rights. My Lords, it seems to me that Socialism is a great mistake, but I do not think it is an irremediable evil. What it really means is spending public money on a useless object. The taxpayers will soon find out that the public money is being wasted on useless objects, and will insist on more economy. No irremediable evil will be the result, only a certain amount of legislative goose-step will have been performed. But I agree with him in thinking that the measures which are adopted in defiance of private right are of much graver significance, and that a much more serious evil follows them. They are destructive of confidence, and consequently the capital which is created each moment as we go on for the purpose of being applied to the industry of the immediate future is prevented from flowing in its true and intended channel; and the industry of the future is starved. My Lords, that is a very great evil which has induced from time to time

much of the legislation to which my noble Friend has attached the term Socialistic, but to which it does not really belong. There are several other matters to which the noble Lord has referred. As my noble Friend behind me (the Earl of Dunraven) observed there are many spectres and bogeys put forward in my noble Friend's speech. I think he attaches too much importance to words. These are days of words. At the present day everybody reads, writes, and talks more or less and people listen to words and read them without their leaving the slightest trace upon their minds, or feelings, or actions. You will see the most extraordinary doctrines preached, the most extraordinary deductions evolved, the most strange projects unfolded, and yet the public look on and walk by peaceably with the most pleased content as if there was not the slightest danger to the order of things to be anticipated from the intentions expressed. But if you go one inch beyond words it is a different thing. The moment these words take the form of action the public is aroused very quickly, and my belief is that if some of those Socialist schemes, to which my noble Friend referred, could for a short time, be brought into action, they would promote such a vehement reaction that we should hear very little more of them for a long time to come. These fallacies may be trusted to find themselves out. You may trust the nature of things to show that the State must not undertake the work of everybody; you may trust the nature of things to show that legislation must not invade private right or undermine confidence or destroy that reliance on the law by which alone the machinery of capital and industry can be hoped to move. But then there is another suggestion which I would suggest for the consideration of my noble Friend. All this noise and all these proposals have not sprung from nothing. It is not out of mere gaiety of heart that all these absurdities are being introduced in every newspaper and on every platform. There is some cause for it all. It may be that they are quacks who make these Socialistic proposals. I do not in the least interpose to shield the quacks from all the contempt which my noble Friend may pour upon them; but when you see quacks gathering round a bed,

*The Marquess of Salisbury*

however deeply you may despise the quacks, it is probable that the patient lying on the bed is suffering from some serious suffering or some deep disease. The truth is, that these Socialistic proposals indicate great evils, which they are brought forward to remedy, and no one who is not absolutely blind will deny the existence of those evils in the world. There are evils to which the German Emperor testifies in summoning the Conference to which my noble Friend referred. How far we can grapple with them we do not know as yet; but we are bound to give our best energies to the task, and I think we are bound not to be frightened from the clear and upright performance of that duty by the fear that we may be imagined to be yielding to, and misrepresented as, acting upon the sophistries and fallacies which my noble Friend has exposed. Undoubtedly, we have come upon an age of the world when the action of industrial causes, the great accumulation of population, and many other social and economic influences have produced great centres of misery, and have added terribly to the catalogue of the evils to which flesh is heir. It is our duty to do all we can to find the remedies for those evils, and even if we are called Socialists in attempting to do it, we shall be reconciled if we can find those remedies, knowing that we are undertaking no new principle, that we are striking out no new path, but are pursuing the long and healthy tradition of English legislation.

#### MERCHANT SHIPPING ACTS AMENDMENT BILL.—(No. 57.)

House in Committee (on Re-commitment) (according to order); Further amendments made: The Report thereof to be received To-morrow.

#### COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Earl of Harrowby to the Standing Committee of Bills relating to Law, &c. for the consideration of the Reformatory Schools Bill, and the Juvenile Offenders Bill; read, and ordered to lie on the Table.

House adjourned at twenty minutes past Six o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 19th May, 1890.

MESSAGE FROM THE LORDS.

That they have agreed to,—Commissioners for Oaths Act (1889) Amendment Bill.

SELECTION (STANDING COMMITTEES).

Sir JOHN MOWBRAY reported from the Committee of Selection: That they had added to the Standing Committee on Law, and Courts of Justice, and Legal Procedure, in respect of the Elections (Scotland) Corrupt and Illegal Practices Bill, the following 15 Members, namely, Mr. Barclay, Mr. Buchanan, Mr. Caldwell, Sir Archibald Campbell, Mr. Donald Crawford, Mr. Stormonth Darling, Mr. Esslemont, Mr. Hozier, Mr. Hunter, Mr. Leng, Mr. Fraser-Mackintosh, Mr. M'Lagan, Sir Herbert Maxwell, Mr. Shaw Stewart, and Mr. Shiress Will.

Report to lie upon the Table.

INTOXICATING LIQUORS (IRELAND) HOURS OF SALE BILL.—(No. 44.)

Order for resuming Adjourned Debate on Amendment on Second Reading upon Monday, 2nd June, read, and discharged.

Bill withdrawn.

BOROUGH FUNDS BILL.—(No. 126.) Order for Second Reading to-morrow read, and discharged.

Bill withdrawn.

PUBLIC PETITIONS COMMITTEE.

Tenth Report brought up, and read; to lie upon the Table, and to be printed.

INTOXICATING LIQUORS (LICENCES REFUSED).

Address for—

"Return of the Number of Victuallers', Beerhouse, and other Licences for the Sale of Intoxicating Liquors, the renewal of which has been refused, in the years 1887, 1898, and 1889, by the Justices of the Peace in each Licensing District in England and Wales, showing in each case the ground of Refusal, especially when such ground was, in any instance, that the Licence was not required; and showing also the result of Appeal, if any (in continuation of Parliamentary Paper, No. 131, of Session 1889)."—(Sir William Harcourt.)

COMPANIES (WINDING-UP) BILL. (No. 113.)

Bill reported from the Standing Committee on Trade, &c.

Report of the Committee, with Minutes of Proceedings, to lie upon the Table, and to be printed. (No. 133.)

Bill, as amended, to be taken into Consideration upon Monday 9th June, and to be printed. [Bill 283.]

DRUNKENNESS (CONVICTIONS) (ENGLAND AND WALES).

Address for—

"Return, for England and Wales, of the total number of Convictions in respect of such offences under the following enactments as involve Drunkenness: 3 and 4 Vic., c. 97, s. 13; 10 and 11 Vic., c. 89, ss. 29 and 61; 35 and 36 Vic. c. 94, s. 12, committed during the year ended the 31st day of December 1889 (1) after 12.30 (noon) on Sundays; (2) at any other time, whether on Sundays before 12.30 (noon), or on any week day, in the following form :—

Place.	Population.	On Sundays, 12.30 (noon) to midnight.	At any other time.	Total.

(in continuation of Parliamentary Paper, No. 235, of Session 1889)."—(Mr. Ca:ondish Bentinck.)

## [NAVY (SHIPS).

Return ordered—

“Showing, in regard to Ships launched since January 1883, the estimated and actual Speed and estimated and actual Horse-power :—

—(Lord Randolph Churchill.)

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## QUESTIONS.

### IRELAND—THE SCHOOLS OF THE CHRISTIAN BROTHERS.

**LORD RANDOLPH CHURCHILL** (Paddington, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the members of the Order of "Les frères des Ecoles Chrétiennes" have been admitted to the position of classed teachers under the National Board in the City of Waterford; and, if so, whether Her Majesty's Government will direct the attention of the Commissioners of National Education to the Report of the Powis Commission, now 20 years old, with a view of making such alterations in their Rules as will, in accordance with that Report, enable the Irish Order of Christian Brothers to obtain State aid for their Primary schools; and whether he is aware that nearly 40 per cent. of the boys for whom results fees have been paid by the Intermediate Education Board during the last three years have been educated by the Christian Brothers in schools primarily intended for the elementary education of the poor; and, if so, whether he will direct the attention of the Intermediate Education Board and the Commissioners of National Education to the necessity of making such alterations in their Rules as will enable the Christian Brothers to obtain the State aid to which their services in the cause of public education entitle them, rather from the funds provided by Parliament for primary education than from the limited amount which ought to be applied to aid Intermediate schools?

**THE CHIEF SECRETARY FOR IRELAND** (Mr. A. J. BALFOUR, Manchester, E.): It is the case that a body of monks who belonged to the Order of "Les frères des Ecoles Chrétiennes" are the teachers of a National school in Waterford, and also of National schools in other parts of Ireland. These monks, like the Brothers of St. Francis, the Patrician, the Presentation, and the Marist Orders or Communities, have undertaken the charge of National schools upon the rules and conditions applicable to the teachers of all National schools. There are 26 monastic schools at present in connection with the

national system of education. Some of these schools have intermediate education departments attached to them. The same opportunities to obtain the grants of the National Board are, of course, open to the Irish Order of Christian Brothers as those availed of by the Christian Brothers of the French Order, and by the monks of the various other orders or communities who are the teachers of National schools. The facts are as stated in the second paragraph of the question; but under the Rules of the Intermediate Education Board, which came into operation at the commencement of this year, results fees are not now payable on boys who pass in primary subjects only.

**MR. A. O'CONNOR** (Donegal, E.): Is there any national or State reason why the Code should not be modified, in order to enable the Christian Brothers to obtain this aid?

**MR. A. J. BALFOUR**: Various orders of monks, including the French Order of Christian Brothers, find no difficulty in taking advantage of the public grants and putting themselves under the general regulations of the National Education Board, and therefore I do not see that it is necessary to make a special modification of the Rules in favour of one monastic order.

### EVICCTIONS ON THE PONSONBY ESTATE.

**MR. FLYNN** (Cork, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is a fact that an evicting force of many bailiffs and over 100 policemen, under the command of County Inspector Hogel, proceeded on Thursday last to evict Jeremiah Keohane and family, of Carhergariffe, County Cork, but were debarred from carrying out the eviction owing to the dangerous illness of one of the tenant's family; is he aware that the valuation of the holding is £82, whilst the rent is £110; that Mr. Keohane, being a leaseholder, served an originating notice to have a fair rent fixed immediately after the passing of the Land Act, 1887, but that, owing to delay in the Land Courts, the rent was not fixed until last December, and that meanwhile Captain Wheeler served the tenant with an eviction notice under the 7th section



of the same Act, thereby breaking the tenant's title to holding; and whether, in view of the many cases of a similar character which have been brought under the notice of the Government, steps will be taken to protect the interests of the tenants either by legislation or other action on the part of the Government?

**MR. A. J. BALFOUR:** The Constabulary Authorities report that the forces protecting the sheriff and his bailiffs consisted of 40 police, and not 100, as stated in the question. The eviction was postponed in consequence of the illness of one of the tenant's sons. It appears that the man had three farms under a lease, the rents amounting in the aggregate to £109 10s., and the valuation to £82 5s. In respect of one of these farms only did he serve a notice to have a fair rent fixed on the passing of the Act of 1887. In March, 1889, he served a similar notice for the second of the farms, but he served no such notice in respect of the third. The tenancies were terminated as stated, but I am informed that at the time of the intended evictions the agent offered the tenant not to evict if he paid the amount due less 20 per cent., and also offered a permanent reduction at that rate on the annual rent, which, however, the tenant refused. As regards the inquiry in the last paragraph, the necessary legislation already exists. When the application to terminate the tenancies was before the Court, it was open to the man to apply for a postponement or suspension of the proceedings, on such terms and conditions as the Court might direct, until the termination of the proceedings on the application to fix judicial rents.

**\*MR. FLYNN:** In view of the fact that evictions are now taking place in the case of tenants who applied two years ago to the Land Court to have fair rents fixed, and which cases have not yet been heard, cannot the Government introduce a short Act to prevent the evictions from being carried out until the cases have been heard?

**MR. A. J. BALFOUR:** It is quite impossible to deal by an Act of Parliament with the case (that of the Ponsonby tenants) mentioned by the hon. Member.

*Mr. Flynn*

#### MAILSERVICE BETWEEN LEHANMORE AND CASTLETOWNBERE.

**MR. GILHOOLY (Cork, W.):** I beg to ask the Postmaster-General whether he has received tenders for a mail car service between Lehanmore and Castletownbere; whether the sum required for such service is 23s. weekly; whether the present mail service amounts to that sum; and whether he purposes availing himself of the tender for a mail car service, and thereby convenience the public?

**\*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge):** In reply to the hon. Member, I beg to state that I have received a conditional offer to provide for a Mail Car Service between Lehanmore and Castletownbere Haven at the rate of 24s. a week, but I do not propose to avail myself of this offer. There is no official post at present between the places named, but a scheme is under consideration which may possibly admit of a post being afforded by messenger on foot.

#### LAND COMMISSION—NORTH LEITRIM.

**MR. CONWAY (Leitrim, N.):** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will afford immediate facilities for the return visit of the Sub-Commissioners of the Land Commission to North Leitrim, in order to dispose of the applications for fair rents, some of which have been listed for hearing more than two years?

**MR. A. J. BALFOUR:** The Land Commissioners report that they will arrange to send a Sub-Commission to the County of Leitrim as soon as the cases in other counties which remain unheard are brought up to the same date as those disposed of in the County of Leitrim.

#### OUT-DOOR RELIEF IN MOVILLE.

**MR. MACARTNEY:** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how many persons received out-door relief in the electoral division of Moville, Innishowen Union, during the 12 months ending March, 1890; and what was the average amount received by such persons?

**MR. A. J. BALFOUR:** The Clerk of the Union reports that the number who received out-door relief in the electoral

division named, and during the period stated, was 28, and the average amount received by such persons was £3 2s. 10d.

#### SWIFT'S HOSPITAL, DUBLIN.

MR. CLANCY (Dublin Co., N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware, and, if not, whether he will inquire if it is a fact that, although on the 7th November, 1889, it was officially reported to Mr. Richard Owen Armstrong, J.P., a member of the Board of Swift's Hospital (Lunatic Asylum), Dublin, that the funds of the institution had been to a large amount misappropriated by the Secretary, Mr. Newland, and that although Mr. Newland himself reported to Sir Ralph Cusack, J.P., D.L., another member of the Board of Swift's, that he had been guilty of extensive defalcations in the funds of the hospital, the members of the Board of Swift's, at a special meeting held on the 12th November, agreed to allow Mr. Newland to make restitution to the extent of £1,000 of the funds he had fraudulently misappropriated; whether such action of the Board was legal; whether he is aware that, in consequence of this action of the Board, Mr. Newland, on the 15th of November, 1889, lodged in the Bank of Ireland a sum of £1,000 to the credit of the Board of Swift's Hospital; but, being subsequently declared a bankrupt, the Board of Swift's Hospital were obliged to refund the said payment of £1,000; whether the total loss to the funds of Swift's Hospital caused by Mr. Newland's frauds has yet been ascertained; and, if so, what is the total amount of the said loss; can he explain how it happened that it was not until the 7th February, 1890, three months after the discovery of Mr. Newland's frauds, that the members of the Board of Swift's caused informations to be sworn against Mr. Newland, who meantime had absconded, and placed himself outside the jurisdiction of Her Majesty's Courts of Justice; and whether the Government proposes to take any action, and, if so, what action in the matter?

MR. A. J. BALFOUR: I beg to refer the hon. Member to my previous statements in regard to this question.

MR. CLANCY: But does not the Coercion Act give the right hon. Gentleman all the control he could require

where criminal proceedings have been taking place?

MR. A. J. BALFOUR: I have no reason for believing that there has been any crime in the matter.

MR. CLANCY: Is it not a crime for persons in the Commission of the Peace in Dublin to condone the embezzlement of the funds of a charitable institution in Dublin; and is it the fact that these malpractices have been passed over because they were committed by supporters of Her Majesty's Government?

MR. A. J. BALFOUR: If crime has been committed it can be investigated by a proper tribunal.

MR. CLANCY: Is it not the habitual practice of the police in Ireland to swear information upon which the Government take action?

MR. A. J. BALFOUR: In this case I am advised there is no evidence of a crime having been committed, and under those circumstances there is no necessity for the police investigation.

MR. CLANCY: I beg to give notice that on the first opportunity I will call attention to the matter, and endeavour to show that there is some connection between the Government and the delinquents.

#### THE REGISTRAR GENERAL FOR IRELAND.

DR. KENNY (Cork, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether Dr. Grimshaw, Registrar General for Ireland, was appointed to that position on the condition of devoting his entire time to the duties of the office; whether he is aware that Dr. Grimshaw holds other appointments of an honorary character, and also holds, and has held since his appointment as Registrar General, other offices for which he does receive, and has received, remuneration, the duties connected with which demand for their discharge a considerable amount of time; whether he is aware that Dr. Grimshaw is at present a member of the Conjoint Committee of the Colleges of Physicians and Surgeons, and is paid for duties in connection with said position a sum of £40 or £50 per annum; and whether it is the intention of the Irish Government to call upon Dr. Grimshaw either to resign his appointment as Registrar General, or relinquish the office above

mentioned, and refrain in future from seeking or accepting any such appointments?

MR. A. J. BALFOUR: Dr. Grimshaw was appointed to the office in question on the understanding that he would undertake and fulfil all the duties of his predecessor. This gentleman holds certain other appointments of an honorary character, and also performs other duties for which certain fees are attached, but these duties do not interfere in any way with the time required for discharging the duties of Registrar General, and the Irish Government see no reason for interfering in the manner suggested by the question.

MR. CLANCY: Is it not quite plain that Dr. Grimshaw has violated the condition of his appointment that he should accept of no other offices?

MR. A. J. BALFOUR: No, Sir; I understand that that is not so.

#### POLICE WATCHING IN IRELAND.

MR. SCHWANN (Manchester, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that on a recent occasion, when the Rev. Father Humphrys, Mr. Sheehy, M.P., and Mr. Cullinane, P.L.G., were standing talking to one another in the streets of Tipperary, two police constables stood immediately behind them and took down their conversation, and that, when Father Humphrys complained, one of the policemen left but the other refused to leave; whether he is also aware that, when Father Humphrys stood speaking with Mr. Gill, architect, of New Tipperary, a constable ordered them to "move on," and, on their refusing, stood about three feet off, listening to their conversation; if he can state what the constable's name was; whether Father Humphrys has complained of insulting conduct on the part of the constabulary, as likely to lead to a breach of the peace, and was told by Inspector Gamble that it was the duty of a constable (who gave his name as Wilson Williams, of the Tipperary Depot) to follow the rev. gentleman; and whether he will inquire into the matters complained of?

MR. A. J. BALFOUR: The Constabulary Authorities report that it is the case that the rev. gentleman in question is closely watched by the police in consequence of the leading part he is taking in endeavouring to promote the boycott-

*Dr. Kenny*

ing of tenants who have paid their rents on the Smith-Barry Estate. On the occasion referred to in the second paragraph, the constable states that he was engaged in requiring a commercial traveller to remove some baggage which was creating a street obstruction, and that he was not aware of the rev. gentleman's presence until accosted by him. The constable's name was Patrick Leonard. The rev. gentleman did not complain of any insulting conduct on the part of the police. He did complain that he was being watched. The District Inspector did reply that the "constable was only obeying orders."

MR. SCHWANN: Is it the intention of the right hon. Gentleman to arrest Father Humphrys under the Statute of Edward III.?

MR. J. O'CONNOR (Tipperary, S.): Did one of the constables decline to state where he was stationed, and did the same constable on three occasions give a different name? Did he not further state that he came from the depot, meaning the headquarters at Dublin? Did this constable, whose name is Wilson Williams, follow Father Humphrys about whistling, and was it necessary to remonstrate with him twice before he ceased?

MR. A. J. BALFOUR: The hon. Member must give notice of those questions.

MR. MACNEILL (Donegal, S.): Having regard to the fact that the constable, whose conduct is impugned, either refused to give his name or gave a false name, will the right hon. Gentleman take into consideration the proposal repeatedly made from these Benches that, as the uniform of the Irish Constabulary precludes identification, the men should be numbered like the Dublin and Belfast police and the police here?

MR. A. J. BALFOUR: With regard to the numbering of the Irish Constabulary, that is a question which has been often debated in this House, and it is impossible that within the limits of an answer to the hon. Gentleman's question I could cover the whole ground.

MR. MACNEILL: Will the right hon. Gentleman give me an answer, yes or no, whether these men are unnumbered in order to avoid identification?

MR. A. J. BALFOUR: No.

### LIGHT RAILWAYS—GALWAY AND CLIFDEN.

MR. MAHONY (Meath, N.): I beg to ask the Secretary to the Treasury whether Mr. Barton reported to the Board of Works his reason for selecting Mr. Price's line, as regards which he had to suggest considerable alterations in the curves and gradients, in preference to a line promoted by an Englishman, which followed the same route, but required no alteration in curves and gradients; and whether the Commission appointed by the present Government to inquire into Schemes for Light Railways in congested districts, and presided over by Sir James Allport, is still in existence; and, if so, why matters relating to Light Railways have been referred to gentlemen appointed by the Board of Works, instead of being referred to that Commission? I have further to ask whether, in view of the fact that the rejected line of light railway in Galway, known as the Coast Line, would pass through the most populous, poorest, and most congested districts in the county; whereas the line selected by Mr. Barton passes through an almost uninhabited and barren district between Oughterard and Clifden, his attention has been called to the fact that Mr. George Morris, a member of the Local Government Board, and a gentleman of considerable local knowledge, and Mr. C. T. Redington, a Deputy Lieutenant of the County, and the Chairman of a Commission for the relief of distress in the congested districts in 1886, gave evidence in favour of the Coast Line?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): (1) The Commissioners of Inquiry, namely—Sir John Bull Greene, Mr. Barton, Mr. Bourke, and Mr. Cotton, were unanimous in reporting in favour of the Galway and Clifden *via* Oughterard Railway, and gave their reasons for preferring it. (2) As regards the latter part of the question I would point out that by the Tramways (Ireland) Act, 1860, and the Light Railways Act, 1889, the duty of reporting on schemes submitted to Grand Juries, is imposed upon the Board of Works. (3) I believe that the two gentlemen named did give evidence in the direction indicated.

In reply to a further question by MR. MAHONY,

MR. JACKSON said: While negotiations are going on I must ask hon. Members to defer further questions.

MR. T. M. HEALY: Will an opportunity be afforded to the House of discussing the matter before a final decision is arrived at?

MR. JACKSON: I am unable to promise that.

MR. T. M. HEALY: Then what are we to gain by postponing our questions?

MR. JACKSON: That is another question I am unable to answer.

### THE LABOURERS ACTS.

MR. KNOX (Cavan, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether an application was made to the Guardians of the Cavan Union, six years ago, by 200 labourers to have the Labourers Acts put in force in that union; how many similar applications have been made in other unions in the County Cavan; how many schemes have been drawn up by the Guardians in the different unions of that county; how many cottages have been provided under the Acts in that county; and whether, considering the insufficiency of the present law to provide for the better housing of the labourers, he will expedite the further stages of the Labourers (Ireland) Bill?

MR. A. J. BALFOUR: In the year 1885 representations were made to the Guardians of Cavan Union, seeking for the erection of over 200 cottages; but by reason of informality there was a delay. In 1887 the Guardians received fresh representations and proposed schemes for 85 cottages, of which 23 were approved. With reference to other unions in the County of Cavan, the Local Government Board cannot say how many representations have been made to the Guardians; and as several unions are situated partly in and partly out of the county, they cannot say what portion of the schemes submitted to them related to the County Cavan alone; but they have authorised the erection of 144 labourers' houses in that county, exclusive of the 23 above mentioned in the Union of Cavan.

MR. CLANCY: The right hon. Gentleman has not answered the last paragraph of the question.

MR. A. J. BALFOUR: I believe that the opinions of Her Majesty's Government on that subject are well known.

#### THE CORK CORPORATION.

MR. FLYNN: I beg to ask whether the hon. Gentleman is aware that, on the right last occasion for nomination of Governors to the District Lunatic Asylum, the Dublin Corporation sent forward to the Lord Lieutenant of Ireland the names of 10 of their members, and that the Lord Lieutenant appointed all the gentlemen so named; and, if so, why was a different course adopted by His Excellency in the case of the Cork Corporation; also whether he is aware that the Cork Corporation recently sent forward to the Lord Lieutenant the names of four members of their body (including a Mayor and ex-Mayor of the city) as fit representatives on the Board of Governors of the Lunatic Asylum; and is it a fact that the Lord Lieutenant refused to appoint any one of the four gentlemen named; and, if so, what was the reason for such refusal, and on what principle of selection or nomination does the Lord Lieutenant act in regard to this matter?

MR. A. J. BALFOUR: The facts are as stated in both questions. The principle acted upon is to promote local representation, so far as this is consistent with the duty thrown on the Lord Lieutenant by Statute of selecting fit and proper persons to serve on the Asylum Board. This principle was not inconsistent with the selection made in the case of Dublin; it would, in the opinion of the Lord Lieutenant, have been inconsistent with the selection of the names sent up in the case of Cork.

DR. TANNER: Is it not the fact that of recent years the authorities of Dublin Castle have invariably chosen from the list presented by the Corporation of Cork either Conservatives or Liberal Unionists to act as Governors of the Asylum?

MR. A. J. BALFOUR: I cannot answer that question.

MR. SEXTON: Does the right hon. Gentleman say that none of the persons nominated by the Corporation of Cork are fit to be appointed?

MR. A. J. BALFOUR: I cannot enter into any invidious discussion as to the merits of these gentlemen.

MR. SEXTON: Would not the Lord Lieutenant ease the situation if he were to appoint any of them?

MR. A. J. BALFOUR: That is a very different proposition from that of accepting the whole number.

MR. T. M. HEALY: Why is it that Conservatives know more about lunacy than the Nationalists?

\*MR. FLYNN: I may say that among the names sent in by the Corporation of Cork there were those of the present Mayor of that City and the ex-Mayor.

#### BELFAST POST OFFICE.

MR. SEXTON: I beg to ask the Postmaster General how many appointments have been made to the respective staffs, postal and telegraph, of the Belfast Post Office, upon the nomination of the local postmaster, during the year ending the 31st March ultimo, and how many vacancies exist upon these respective staffs at the present time; whether it is a fact that all vacancies as they arise are filled by the nominees of the local postmaster, to the exclusion of all other applicants, and whether there is any special reason why vacancies as they arise on the establishment of the Belfast Post Office in the future should not be thrown open to competition instead of being at present dependent upon the nomination of a local official; whether the arrangement by which nominations to vacancies on the staffs of provincial offices were confided to local postmasters was intended to apply in cases of offices of the standing of Belfast, or did it only refer to offices in provincial towns of lesser standing, upon the staff of which vacancies seldom arise and where it would be inconvenient or impossible to hold competitive examinations; whether he will consider the advisability of throwing open all existing and future vacancies as they arise upon the respective staffs of the Belfast Post Office to public competition; and if he can state under whose supervision the examination of the nominees of the Postmaster of Belfast to vacancies in the Belfast Post Office hitherto have been held?

\*MR. RAIKES: The number of appointments made to the staff of the Belfast Post Office during the year ended the 31st of March last was five on the Postal and 15 on the Telegraph side respectively. At the present time there are 10

vacancies—all on the telegraph side. At Belfast, as at other Provincial Post Offices, vacancies are filled, as a rule, on the nomination of the local postmaster. As regards the remaining points, I would refer the hon. Member to the reply which I made to a similar question on the 24th of April last. I will merely add that the Committee of 1854, on whose recommendation postmasters nominate to vacancies in their own offices, contemplated no exceptions.

MR. SEXTON: In what other towns are these nominations made by the Post Office Department?

\*MR. RAIKES: I may mention off-hand, Liverpool, Manchester, Leeds, and Birmingham.

#### REGISTRATION OF COUNTY ELECTORS.

MR. HOBHOUSE (Somerset, E.): I beg to ask the President of the Local Government Board if he is aware that "The Registration of County Electors Act, 1889," expires after the present year, and that great expense and inconvenience will be caused if some alteration is not made early next year in the dates for completing the registers of county electors; and if he will consent to the appointment of a Select Committee this Session to consider the best mode of altering the dates for the registration of Parliamentary, Municipal, and County Council electors; or whether he will undertake to introduce a Bill for this purpose?

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE, Tower Hamlets, St. George's): The question is one of considerable difficulty. If an alteration be made, it must either be in the dates for registration or in the dates for elections both to County Councils and Municipal Councils. In either case an alteration would entail considerable inconvenience, and I am not convinced that under the law as it stands the registers cannot be made out in sufficient time if due diligence be used. The matter is, however, at present under the consideration of the Government.

#### THE PLATTERS ROCKS.

MR. LEWIS (Anglesey): I beg to ask the President of the Board of Trade whether it is a fact that the London and North Western Railway Company have offered to remove the Platters Rocks in

the Holyhead New Harbour to a depth of 25 feet below low-water mark, which according to Sir J. Hawkshaw's estimate would cost about £250,000, on the condition that the Railway Company be allowed to erect a pier in a part of the harbour which is now perfectly useless, and some other small concessions as to the lease on their present premises in the old harbour; and whether the Government would have any objection to state their reasons for refusing to accept that offer?

\*THE PRESIDENT OF THE BOARD OF TRADE (SIR M. HICKS BEACH, Bristol, W.): I am unable to accept the accuracy of the hon. Member's description of the offer of the London and North Western Railway Company; but if he wishes to move for copy of the correspondence between the London and North Western Railway Company and the Board of Trade respecting the construction of a deep water pier and the removal of the Platters Rocks in Holyhead Harbour I shall offer no objection.

#### POOR RATE DEFAULTERS AT GOVAN.

MR. NOLAN (Louth, N.): I beg to ask the Lord Advocate if he can state how many poor rate defaulters there were in the combination of Govan, Scotland, on 20th June, 1889; how many of them subsequently paid their rates; what was the amount due on the said date; and what was the amount ultimately lost to the funds of the combination through defaulters during the year; and also the same particulars with regard to the barony and city parishes of Glasgow respectively?

\*THE LORD ADVOCATE (MR. J. P. B. ROBERTSON, Bute): On 20th June, 1889, there were in Govan combination, 10,721 defaulters, of whom 1,649 subsequently paid their rates, the amount due was £1,551 ls. 5½d., and the amount lost during the year was £1,301 12s. 9½d. The information as to the barony and city parishes has not yet been received, as these parishes were not included in the question as it originally appeared on the Paper.

#### THE LOSS OF THE ROHILLA.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the President of the Board of Trade whether his attention has been directed to the

inquiry held on Thursday, the 24th of April, into the circumstances attending the loss of the iron sailing-ship *Rohilla*, which foundered with all hands, and to the suppressing of certain letters at that inquiry; whether copies of those letters are in the possession of the officials of the Marine Department of the Board of Trade, written by Ned Butchers, sailmaker on board the *Rohilla*, from Pisagua, and dated 15th October, and what steps were taken to ascertain what credence ought to be placed in the serious charges of overloading contained in those letters; whether he was aware that Mr. D. W. McDonald left the *Rohilla* at Valparaiso, and whether any attempt was made to communicate with him in order to ascertain whether his leaving was in consequence of his refusal to sanction the overloading of the vessel; whether it was mentioned to the Court of Inquiry that the owners of the *Rohilla* have lost six vessels during the last five years; and whether he has the power to annul the verdict of the Court and to grant another inquiry on the ground of insufficiency of the evidence laid before the Court?

\*SIR M. HICKS BEACH: The Court found that the *Rohilla* was lost through striking on a shoal, and not from overloading. Copies of letters from Ned Butchers, sailmaker of the *Rohilla*, are in the possession of the Board of Trade. They contain allegations of overloading on previous voyages, and the Board would have endeavoured to test their truth, and to place the letters before the Court, had there been any ground for supposing that the loss of the *Rohilla* was due to overloading. The voyages referred to in the letters were made in safety, and upon the vessel's arrival at Falmouth after the last of these voyages, she was seen by one of the Board's Surveyors, who found she was not overladen. During the five days the vessel remained in Falmouth Harbour, no complaint was made by the sailmaker or any other of the crew. Mr. Fyfe, the gentleman who forwarded copies of Ned Butcher's letters to the Board of Trade, in addressing the Court, requested that these letters should be read, but the Magistrate held that they were not relevant, and could not be received in evidence. The Board of Trade made every effort to communicate with Mr.

*Mr. Cuninghame Graham*

McDonald, but his wife reported that he would not return to this country for three years. The Board were advised that there would have been no justification for calling the attention of the Court to the loss of other vessels belonging to the same owners. The Board of Trade had no power to annul the finding of the Court, but they could order a rehearing if satisfied that sufficient ground for such a course existed.

#### "MITCHELL V. REGINA."

MR. CUNINGHAME GRAHAM: I had intended to ask the Secretary of State for War whether it is true that the Attorney General and Duke of Cambridge have long since advised the claim of the suppliant in "Mitchell v. Regina" to be settled by a substantial payment; and whether that advice has been rejected, and if he could state for what reason; but I beg to postpone the question until to-morrow, and also a further question which I intended to put to the First Lord of the Treasury, namely, whether his attention has been called to the report of "Mitchell v. Regina" in the *London Times*, 13th of May, and the remarks in the *Evening Standard* of that day; and whether in consequence of the decision of the learned Judges, he is prepared to introduce a Bill to conserve to officers the promises conveyed to them in Her Most Gracious Majesty's Royal Warrants, which are signed by the Sovereign?

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for the Home Department whether it is true that a letter or petition of grace to Her Majesty the Queen was sent to the Home Office many weeks ago by the suppliant in "Mitchell v. Regina," praying for many reasons some payment of money withheld by the War Office; whether he is aware that this application was made on the written advice to the suppliant by General Sir Henry Ponsonby, C.G.B.; and whether it is true that the suppliant has been officially informed that the letter has not been forwarded to the Queen?

\*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. MATTHEWS, Birmingham, E.): In December last Colonel Mitchell forwarded to the Home Office a petition of right in the matter of

a claim made by him upon the War Office. This was submitted to the Queen in the usual manner, and proceedings followed in the Law Courts. Subsequent to the decision of the Courts, Colonel Mitchell, in February last, sent some printed documents relative to his case to the Home Office, and asked that they might be laid before the Queen, Sir Henry Ponsonby having advised the applicant that documents of this nature could only be submitted to Her Majesty through the Secretary of State. No petition accompanied these papers, and the applicant was informed that his case having been decided by the legal tribunals of the country, it would be improper to lay papers before Her Majesty which were in the nature of an appeal against the decision of those tribunals.

#### THE ORDNANCE SURVEY STAFF.

MR. T. M. HEALY: I beg to ask the President of the Board of Agriculture what are the percentages of increase of salary given the Ordnance Survey Staff in the years from 1883 to 1890, and when was the new scheme of increase of pay communicated to the men?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): If I understand the question of the hon. Member rightly, I may say in reply that there is no regular progressive increase of salary given to the civil assistants of the Ordnance Survey. I stated in my reply to a similar question on the 8th inst. that increase of pay in the Ordnance Survey Department is dependent on increased efficiency, combined with length of service. The average pay in the skilled branches of the Survey is now from 15 to 30 per cent. higher than it was eight or nine years ago. But no new scheme of increase of pay has been proposed, and therefore no such scheme has been communicated to the men.

#### THE NEW OFFICES IN WESTMINSTER HALL.

DR. TANNER (Cork Co., Mid.): I beg to ask the First Commissioner of Works if it is a fact that fireplaces without chimneys have been supplied to the new offices off Westminster Hall, now used as the offices for Private Bills; whether it is true that gas fire appliances were

placed in them, and whether they have been or can be used; who is responsible for the fireplaces and fittings; and what was the expense incurred in connection with each?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, University of Dublin): It is not the fact that fireplaces without chimneys have been constructed to the new offices off Westminster Hall, now used as the Private Bill Offices; but owing to the change in the appropriation of the whole of the rooms in the new building, certain expensive warming and ventilating arrangements, which were originally intended to meet the requirements of the rooms, if used as Committee rooms, were not fully carried out. Some additions are, however, about to be made to the extracting flues, which will enable the rooms to be suitably ventilated for the purposes for which they are now used. It was at one time intended to use gas fires in the new fireplaces; but as the whole of the rooms have now been warmed by steam pipes in the same manner as the rooms recently vacated by the departments now occupying the new rooms, it has been found to be unnecessary to adopt those fires. The Office of Works is responsible for the fireplaces and fittings, and the fact of their having been provided renders the rooms fit for any future occupation in case of change. It is impossible to give the cost of the said fireplaces and flues separately from that of the building, as they were constructed as part of the later, and in that way they certainly cost very much less than would be necessary to form them at a future time if they should be required.

DR. TANNER: Am I to understand that there are chimneys existing in connection with these rooms which cannot be used?

MR. PLUNKET: I believe that there are chimneys in existence.

DR. TANNER: Are they closed up?

MR. PLUNKET: I think not.

DR. TANNER: Does the right hon. Gentleman propose to smother all the unfortunate persons who are obliged to use the Hall?

MR. PLUNKET: I propose to make changes to prevent any inconvenience; and unless I were to climb the chimneys myself, I do not know what more I can do.



## LIGHTHOUSE ILLUMINANTS.

MR. T. W. RUSSELL (Tyrone, S.) : I beg to ask the President of the Board of Trade whether the Committee, consisting of certain members of the Royal Society, appointed to inquire into the question of Lighthouse Illuminants has yet reported; and, if not, when it is likely to do so?

SIR M. HICKS BEACH: There has been some unavoidable delay in this matter in consequence of a change that it was found necessary to make in the composition of the Committee; but I have communicated with the President of the Royal Society, and I understand that the Report of the Committee may be expected in the course of the summer.

## THE SCIENCE AND ART DRAWING GRANT.

VISCOUNT EBRINGTON (Devon, Tavistock): I beg to ask the Vice President of the Committee of Council on Education whether, provided that drawing be satisfactorily taught, teachers holding the general certificate of the Education Department will be, under the New Code, considered eligible, as hitherto, to earn the drawing grant from the Science and Art Department, irrespective of their holding any special certificate in that subject?

\*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): So long as the instruction is satisfactory, I am not disposed, at any rate for some time to come, to insist upon the possession of the drawing certificate by every teacher under Article 85 (b) of the Code; but, where practicable, I hope that managers will avail themselves of the recognition which the Code affords to the peripatetic teacher for this and other purposes.

## FRANKING MEMBERS' LETTERS.

MR. JEFFREYS (Hunts, Basingstoke): I beg to ask the Postmaster General whether, having regard to the great amount of time that hon. Members now have to devote to their Parliamentary correspondence, and that, in addition to this, they have not only to go and purchase stamps, but even to affix them to their letters, he will restore to them their ancient privilege of sending their letters free of charge provided that they are

written on House of Commons paper, and posted in the House?

\*MR. RAIKES: The privilege to which my hon. Friend refers was abrogated by the Penny Postage Act, and he will therefore see it is not in my power to restore it.

MR. JEFFREYS: The right hon. Gentleman has not answered the last part of the question—whether, after a Member buys stamps, he will give orders to some person to affix them?

\*MR. RAIKES: I thought my hon. Friend hardly put that part of the question seriously.

## THE CARDIFF SAVINGS BANK.

MR. DAVID THOMAS (Merthyr Tydvil): I beg to ask the Chancellor of the Exchequer if he is yet in a position to state the exact amount owing by the Trustees of the late Cardiff Savings Bank to the Commissioners for the reduction of the National Debt, on account of the loss of forfeitures resulting from the omission to enforce signed declarations, and of the large sums invested and drawing interest in excess of the sums the Trustees were entitled to invest?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): A Return of the number of savings banks which had failed between 1852 and 1888, and of the loss to the depositors as far as it could be ascertained, was presented in December, 1888. The Return also stated how the deficiencies were met. Since the date of that Return the following savings banks have been closed, or are in process of closing:—Castle Cary, Dorchester, Macclesfield, and Chelsea. In the first two cases, the Trustees undertook to make good any deficiency there might be; the assets of the Macclesfield Savings Bank exceeded the liabilities; and the liquidation of the Chelsea Bank is still proceeding.

MR. DAVID THOMAS: I beg to ask Mr. Chancellor of the Exchequer if he can state how many Trustee Savings Banks have failed since 1852 up to the beginning of last year; in how many of the cases of failure the depositors ultimately suffered loss; how the deficiency was met in those cases where the depositors were paid in full; and what is the total amount of loss sustained by

depositors, exclusive of those in the late Cardiff Savings Bank, whose case is still *sub judice*?

MR. GOSCHEN: No; the exact amount of the sums has not yet been ascertained, but the matter will not be lost sight of.

#### THE ORDNANCE SURVEY.

MR. F. S. STEVENSON (Suffolk, Eye): I beg to ask the President of the Board of Agriculture whether, now that the Ordnance Survey has been merged in the Board of Agriculture, the Circular issued by Sir Charles Wilson in November, 1887, as to the "new scheme of pay for the Ordnance Survey," still holds good, or whether that Circular is superseded by the Treasury Minute of the 4th February, 1890; and whether it is the case that the men on the Ordnance Survey are in the dark as to their future pay and prospects, in accordance with a rule which does not exist in any other Department?

MR. CHAPLIN: I understand that the Treasury Minute of February 4th, 1890, relates to the Second Division Clerks, and does not apply to the Ordnance Survey; and it is not the case that any Circular was issued by Sir Charles Wilson, in 1887, as to the new scheme of pay for the Ordnance Survey. The men, I am informed, on the Ordnance Survey are in the same position now as to knowledge of their pay and prospects as they always have been.

#### OUTRAGE IN CRETE.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to a telegram in the *Evening Standard* of 15th May, purporting to come from Canea (in Crete), in which it is stated that a young Christian had been stabbed to death by some Mussulmans near that town; and whether he will cause inquiry to be made as to the truth, or otherwise, of this telegram?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSON, Manchester, N.E.): No such information has as yet reached Her Majesty's Government; but the British Consul will not fail to report the matter by despatch if such a murder has been

committed. Murders are not infrequently committed by members of the different factions.

#### THE INDIAN CIVIL SERVICE.

SIR HENRY ROSCOE (Manchester, S.): I had intended to ask the Under Secretary of State for India whether he is aware that, in consequence of the regulations which will presently come into action in regard to the limits of age for candidates for the higher branch of the Indian Civil Service, there have been strong expressions of opinion in the scientific Press and at the Universities, that the conditions of the examinations for this Service ought no longer to continue to be relatively so unfavourable to candidates whose studies have been chiefly in science as has hitherto been the case; whether he is aware that a Memorial, signed by 50 distinguished graduates of the University of Cambridge, including several heads of houses, many professors, and a large number of Fellows of Colleges, has been presented to the Civil Service Commissioners, in which it is pointed out that the position of the science tripos in their University is now practically on an equal footing with the classical or the mathematical tripos, both from its numbers and from the awards assigned by the colleges to those of their members who distinguish themselves therein; and whether he will endeavour to secure that changes shall be made for admission to the Indian Civil Service such as shall secure more equal prospects of success for those whose chief studies have been in science than are at present accorded in these competitions. At the request of the right hon. Gentleman, I beg to postpone the question.

#### RATING OF FEU DUTIES.

MR. CHILDERS (Edinburgh, S.): I beg to ask the Lord Advocate whether it is the intention of the Government to refer the subject of the Taxation and Rating of Feu Duties and Ground Annuals to the Committee now sitting on Town Holdings, &c., on which there is only one Scotch Member, or whether they would consent to refer the subject to a separate Committee next Session, composed to a large extent of Scotch Members?

\*MR. J. P. B. ROBERTSON: The taxation and rating of Feu Duties and Ground Annals seem to fall within the terms of the reference to the Town Holdings Committee, and it is manifestly desirable that the Committee which is charged with the consideration of the question generally should be enabled effectively to take up this branch of it. The Government, therefore, propose to move the addition of six Scotch Members to the Town Holdings Committee.

#### EXTINCTION OF LICENCES.

MR. ARTHUR ACLAND (York, W.R., Rotherham): I beg to ask the President of the Local Government Board whether the same disabilities will attach to members of County Councils in dealing with the extinction of licences under the Local Taxation (Customs and Excise) Duties Bill, as now attach to Magistrates pecuniarily interested in the trade in dealing with licensing matters?

\*MR. RITCHIE: The Bill does not provide for disabilities such as those suggested in the question; but the matter is one which will, no doubt, have to be considered in Committee.

#### BRITISH AND GERMAN INTERESTS IN AFRICA.

MR. MUNRO FERGUSON (Leith): I beg to ask the Under Secretary of State for Foreign Affairs whether the following extract of a letter from the Marquess of Salisbury to Sir E. Malet, dated 2nd July, 1887, forms the understanding upon which the British and German spheres of influence are defined in East Africa:—

“Baron Von Plessen said that the Imperial Government had started from the idea that England would leave Germany a free hand for the future in the territories south of the Victoria Nyanza Lake, and, without interfering with the territories lying to the east of the Lakes Tanganyika and Nyassa, at the back of the German Protectorate, would confine herself to opening up the territories lying to the north of the agreed line:”

and whether, therefore, a line drawn from the south of Victoria Nyanza to the northern extremity of Tanganyika forms the line of demarcation between the British and the German spheres?

\*SIR J. FERGUSSON: These spheres of influence have not yet been geographically defined, and the understanding in question was general in its terms.

MR. LAWSON (St. Pancras, W.): I beg to ask the Under Secretary of State for the Colonies whether it is proposed to surrender the country of the Bamangwatos, to the extent of 100,000 square miles, lying between Damaraland and Lobengula's territory, to Germany, in the negotiations now taking place at Berlin; and, if so, on what ground?

\*SIR J. FERGUSSON: I am not aware that any such proposal is under consideration.

EARL COMPTON (York, W.R., Barnsley): I should like to ask the right hon. Baronet whether the Foreign Office have had any communication from Mr. A. J. Nicholls, lately returned from that country, and who seems to have entered into some arrangements for concessions on behalf of British interests?

SIR J. FERGUSSON: I think I must ask the noble Lord to give notice of that question. I cannot give an answer off-hand.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the Under Secretary of State for Foreign Affairs whether the entire question of the relations between this country and Germany throughout Eastern and South Western Africa is the subject of negotiation at Berlin at the present time; whether he will inform the House what is the scope of Sir Percy Anderson's instructions, or lay these instructions upon the Table of the House; and whether Her Majesty's Government will endeavour that any arrangement that may be arrived at, particularly with regard to South Western Africa, shall be such as will commend itself to the approval of the opinion of the Cape Colony and our other South African Settlements. Will Her Majesty's Government take care to ascertain what the opinion of the colonies are?

\*SIR J. FERGUSSON: Undoubtedly it will be the duty of Her Majesty's Government to ascertain and to give due consideration to the opinion of the colonies. The communications between Sir J. Anderson and Dr. Kranel at Berlin have had reference to questions both in East and West Africa. The communications are confidential, and no Papers can be laid at present. In any arrangement that affects the interests of the British colonies in Africa, full consideration will be given to their opinions.

**MR. BUCHANAN:** Is it not the fact that all the difficulties that arose in 1884-5, with regard to Germany in this quarter of the globe, were due to the fact that the English Government were not acquainted with and, therefore, could not give full consideration to, the proposals of the Cape Colony; and will the Government take care on this occasion that they are fully acquainted with the views of the colonists?

**\*SIR J. FERGUSSON:** Without going formally into the question which has been put by the hon. Member, I think I am correct in saying that I believe the Government are fully aware of the opinions of the colonists.

**MR. BRYCE (Aberdeen, S.):** Seeing the total absence of information the right hon. Gentleman has on the subject, and in view of the great interest taken in it, will he see that the House has an opportunity of discussing the matter before a definite decision is come to with the German Government?

**\*SIR J. FERGUSSON:** The hon. Gentleman knows how these things are done. While there is every disposition not to undervalue the great interest taken in this question, it is manifest that while negotiations are pending, discussion is not conducive to success.

**MR. A. O'CONNOR:** May I ask whether the Government will take care to ascertain the views of other people in Africa with regard to the contemplated proceedings before a criminal conspiracy is entered into by two great Powers to plunder the people of Africa?

[No answer was given.]

#### INDIAN COUNCIL BILLS.

**MR. SUMMERS (Huddersfield):** I had intended to ask the Under Secretary of State for India what is the amount of Council Bills sold since the commencement of the present financial year; what proportion is this amount of the whole of the current year's estimate; under whose advice has Her Majesty's Secretary of State forced on the market so much larger a proportion of the year's drawings than is needed for the current requirements of the India Office, and what is the present amount of the cash balances in the Home Treasury of the India Office? but, in the absence of the right hon. Gentleman, I will postpone the question.

#### SCOTCH CENSUS RETURNS.

**MR. S. WILLIAMSON (Kilmarnock, &c.):** I beg to ask the President of the Local Government Board whether he will make arrangements in order to make the expressed desire of about 50 School Boards in Scotland, representing a population of over 800,000, to make the Census Returns of all children under 14 years of age available for School Board purposes, no addition to the existing schedules being required and no additional cost incurred, the School Boards being willing to pay for copies of the particulars required, or to make copies themselves, under such conditions as would not affect the confidential character of the Returns?

**\*MR. RITCHIE:** The Census Returns are obtained for statistical purposes only. The information given on the householders' schedule is of a confidential character, and it is clear that if permitted to be used in the manner proposed this character would be destroyed and great difficulties would be thrown in the way of obtaining accurate Returns. I understand that this proposal was put before the Committee on the Census, whose Report is now, I believe, about to be presented.

#### COMMANDER ANNESLEY.

**MR. BRADLAUGH (Northampton):** I beg to ask the First Lord of the Admiralty whether he has yet received any Report from Admiral Sir W. Dowell, K.C.B., as to the inquiry held into the conduct of Commander Annesley on board the *Icarus*; and whether he can state the result of such inquiry?

**THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing):** The Report has been presented, and is now under consideration. If the hon. Member will repeat the question on Thursday next, I shall be able to answer the second part of it.

**MR. BRADLAUGH:** I will repeat it on Thursday.

#### CIVIL SERVICE WRITERS.

**MR. CUNINGHAME GRAHAM:** I beg to ask the Secretary to the Treasury whether as regards Civil Service writers, considering that the Royal Commission on Civil Establishments had confined their deliberations to general propositions,

and recommended that the writer system be put an end to without saying in what manner, and had not specifically considered questions of adequacy of pay, holidays, sick leave, and other grievances of which the writers complained, the Treasury would now do so, and formulate a scheme for the permanent settlement of the case, which had been left in a transitory state by the Treasury Minute of December, 1886, and which that Minute itself stated would be done as soon as the Government had arrived at a decision upon certain ulterior questions appertaining to the Civil Service then about to come before them, which had since been disposed of?

MR. JACKSON: I cannot agree that the Royal Commission confined their deliberations respecting the copyists to general propositions, or left the questions of pay and other matters open. On the contrary, they stated that they could not report that the copyists had established any grievance which it is the duty of the State to remedy. Nor can I admit that the Treasury Minute of 1886 left the position of the copyists in a transitory state. It dealt with all the questions raised respecting the copyists. The only words which can give colour to the hon. Member's contention are "pending ulterior arrangements." These words referred to the fact that the Royal Commission on Civil Establishments were then sitting, and doubtless any recommendations of that Commission would have received the respectful attention of the Government, but the Commission really confirmed the settlement made by the Treasury Minute of 1886.

THE LATE GENERAL SIR W. JONES.

SIR E. WATKIN (Hythe): I had intended to ask the Secretary of State for War with reference to that part of the Queen's Regulations of 1889, which specifies that

"Officers are not interred with Military honours unless they are at the time of their decease on full pay, or employed on the Staff, or in the exercise of some Military command or office;"

whether General Sir William Jones, G.C.B. (who was in command in the capture of Delhi, the turning point of the great Mutiny), was, at the time of his decease, Colonel of the Duke of Connaught's Light Infantry, and  
*Mr. Cuninghame Graham*

in receipt of the pay of £1,000 a year; and whether he was therefore entitled to a Military funeral? At the request of the right hon. Gentleman I will postpone the question until to-morrow.

#### LOSS OF THE *CAMELIA*.

SIR E. WATKIN: I beg to ask the Secretary to the Board of Trade if inquiry will be made into the circumstances of the loss of the fishing boat *Camelia* (232), believed to have been run down by a steamer between Dungeness and Folkestone in the night of the 8th May, the master, Donaldson, and the two fishermen, the brothers Harris (being the crew) having apparently lost their lives, as their bodies have not been recovered, nor have any tidings of them been received; if the Bremen steamer the *Trave*, bound east, and the west bound steamer *Essequibo*, were passing the point of accident at about the same time; and if he is aware of the many narrow escapes of fishing boats in the Channel, and of the reckless speed and course adopted by the foreign steam liners?

\*SIR M. HICKS BEACH: The question of directing an inquiry in the case of the *Camelia* must depend upon the possibility of obtaining evidence of the facts. The German steamer *Trave* and the British steamer *Essequibo* are believed to have been in the vicinity at the time of the accident, and inquiries have been set on foot to ascertain whether either of them was in collision with the *Camelia*. I am not aware that foreign steam vessels are especially dangerous to fishing boats in the English Channel.

#### LITERATURE FOR WORKHOUSES.

MR. SUMMERS: I beg to ask the President of the Local Government Board whether Boards of Guardians may legally spend a portion of the poor rate in supplying the inmates of workhouses with newspapers, periodicals, and books; and, if so, whether he will cause inquiry to be made as to the extent to which these bodies have availed themselves of this particular power?

\*MR. RITCHIE: Boards of Guardians are empowered to defray out of the rates the cost of supplying the inmates of workhouses with newspapers and periodicals and books. I have directed that

the Inspectors of the Local Government Board shall be instructed, in connection with their visits to workhouses, to give this subject their special attention, and to report to the Board as to the views and practice of the Guardians with respect to such supply.

#### ORDNANCE MAPS OF SOMERSET.

MR. HOBHOUSE: I beg to ask the President of the Board of Agriculture when the Ordnance Survey maps on the one-inch scale are likely to be published for the County of Somerset; and whether, seeing that the existing maps on that scale are 80 years old, he will take steps to accelerate the publication of the new maps?

MR. CHAPLIN: I am afraid it is impossible to fix a date for the completion of the Ordnance Survey maps of Somerset on the one-inch scale; but the engraving of the one-inch map of England is being pushed forward as rapidly as possible. Engraving is a slow process, and the supply of engravers is limited. The Director General, however, is aware of the defective nature of the old one-inch map of the south-western counties of England, and is taking steps to expedite the publication of the new map. I may add that Somerset has recently been published, both on the 25-inch and the six-inch scales.

#### METROPOLITAN POLICE SUPER-ANNUATION.

MR. J. ROWLANDS (Finsbury, E.): I beg to ask the Secretary of State for the Home Department whether, after payment of the £150,000 proposed in the Local Taxation Duties Bill in aid of the Metropolitan Police Superannuation Fund, the total annual amount allowed for the superannuation of the Metropolitan Police will be larger than at present; and, if so, by how much?

MR. MATTHEWS: The annual amount allowed for superannuation grows automatically year by year, as more constables become entitled to pension under the existing scale; but there will be no augmentation of that amount as a necessary consequence of the proposed grant of £150,000, or before Parliament has had an opportunity of considering the whole question.

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#### MEETINGS OF GOVERNMENT EMPLOYÉES.

MR. A. WILLIAMS (Glamorgan, S.): I beg to ask the Secretary to the Treasury whether there is any Order or Regulation which prohibits, regulates, or interferes with the holding of meetings by those employed in the Customs and Excise, or any other Department under the control of the Treasury; and, if so, whether he will state the terms of any such Order or Regulation?

MR. JACKSON: I am not aware that any such Order exists.

MR. A. WILLIAMS: May I ask the Postmaster General whether he will lay upon the Table of the House a Copy of the Order or Regulation as to the holding of meetings by those employed in the Post Office which was in existence before the Order or Regulation now in force?

\*MR. CREMER (Shoreditch, Haggerston): Before the right hon. Gentleman answers the question, may I ask whether it is under the new Order or an old one that a procession of postmen was interfered with by the police on Friday evening last?

\*MR. FLYNN: Before the right hon. Gentleman answers, may I ask him if he will endeavour to make himself audible to this part of the House?

\*MR. RAIKES: The question of the hon. Member for Shoreditch (Mr. Cremer) is already on the Paper addressed to the Home Secretary. With regard to the first question, I have no objection to lay on the Table a copy of the Order in question if the hon. Gentleman will move for it.

#### THE STEAMSHIP HESPER.

MR. A. WILLIAMS: I beg to ask the President of the Board of Trade whether any inquiry will be made as to the circumstances under which the West Hartlepool steamship *Hesper*, 1,069 tons, which sailed from Barry with a cargo of 2,277 tons of coal on the 30th January last, was lost on its voyage to Genoa, together with its crew of 21 hands?

\*SIR M. HICKS BEACH: Yes, Sir; an inquiry has been ordered.

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## CIVIL SERVICE WRITERS.

MR. J. KELLY (Camberwell, N.): I beg to ask the Secretary to the Treasury whether it is the fact that several men are now employed in the Science and Art Department at South Kensington who have been hired through Messrs. Waterlow & Sons; if so, whether Messrs. Waterlow & Sons are paid at the rate of 1s. per hour by the Government in respect of every such man's service for the normal official day, and of 1s. 6d. per hour for overtime; whether Messrs. Waterlow & Sons are permitted to make a profit of 3d. and 6d. per hour respectively out of the work of every such man so hired to the Government through their agency; and, if so, on what ground this system of obtaining clerical labour for the Public Service has been adopted, as it is in direct opposition to the advice of the Playfair Commission of 1874; whether it is the fact that, of the Civil Service writers in the Department in question (many of whom have served from 10 to 17 years and who are in receipt of only 10d. an hour with the bonus of 1d. a day per year) as many as 45 out of 85 were recommended by the heads of their Departments for promotion to the Lower Division, in accordance with the terms of the Treasury Minute of December, 1886, and that these recommendations have been, with two or three exceptions, ignored by the Treasury; and if he will state the reasons for which these recommendations of nearly 40 public servants of long standing and admitted merit have so been ignored?

\*MR. CREMER: Have the Government arrived at any conclusion in regard to the appointment of a Committee, which they more than half promised me last Session, to inquire into the whole system of the employment of persons in Government Offices and allowing them to be sweated by contractors?

\*MR. JACKSON: I am informed that 13 law stationers' clerks are temporarily employed at South Kensington, and that Messrs. Waterlow receive 1s. per hour for their services, but none of them are employed on overtime at 1s. 6d. an hour. I have no cognisance of the arrangements between Messrs. Waterlow and the men. The employment is purely temporary, to meet a pressure of work,

and is in accordance with recognised regulations. I have always felt it necessary to decline to discuss the confidential recommendations made by Departments as to the promotion of copyists. The recommendations made by heads of Departments were not ignored by the Treasury; on the contrary, every case was carefully considered.

\*MR. CREMER: Are we to understand from the reply which has been given that Messrs. Waterlow are permitted to deduct in one instance 3d., and in another 6d., per hour out of the work of the men hired for the Government through their agency?

\*MR. JACKSON: I am informed that 13 law stationers' clerks were temporarily employed at South Kensington, and that Messrs. Waterlow received 1s. per hour for their services. The Government have no cognisance of the arrangement between Messrs. Waterlow and their men.

\*MR. J. KELLY: I beg to give notice that when the Vote for the moneys to be paid to Messrs. Waterlow is taken, I will move its reduction by the amount payable to them in respect of this sweating contract between the Government and themselves.

## POOR'S LAND AT BETHNAL GREEN.

MR. J. KELLY: I beg to ask the Vice President of the Council whether it is the fact, as reported in the *Morning Post* of the 15th instant, that the Charity Commissioners have decided on directing a poll to be taken on the question of the alienation of the Poor's Land at Bethnal Green from the purposes for which it was given?

\*SIR W. HART DYKE: The Charity Commissioners propose shortly to republish the draft scheme already published for the Bethnal Green Poor's Land so revised as to afford an opportunity to the inhabitants of the parish of Bethnal Green of expressing their opinion on the questions raised by the first publication of the draft scheme. The draft scheme, as revised, will not involve any expenditure out of the rates; and in view of the special difficulties which this case presents the Commissioners are not prepared to re-consider the matter until the draft scheme has been so re-published. The delay in this matter has been caused by the number and importance of the

representations, oral as well as written, which have been made to the Commissioners as the result of the original publication of the draft scheme, and by the difficulty which the Commissioners have experienced in coming to a conclusion upon the conflicting opinions thus presented to them.

#### THE WATER COMPANIES AND THE RE-VALUATION OF PROPERTY IN LONDON.

MR. J. KELLY: I wish to ask the President of the Local Government Board whether, in view of the quinquennial re-assessment of property in London, which will come into force in 1891, and will give the Water Companies power to exact an increased charge for their supplies, he can give the House any assurance that he will introduce a Bill during the present Session for the purpose of suspending the powers of the Water Companies to increase their charges for water consequent upon such increase in the assessment, and so prevent such companies from being in a position to force up the prices at which their undertakings will have to be purchased eventually by the London County Council?

\*MR. RITCHIE: The powers to which my hon. Friend refers are powers conferred by Statute on the Water Companies, and cannot, I think, be dealt with alone. The matter is one which should be considered in connection with the whole question of water supply. I need hardly say we can hold out no hope of dealing with so difficult a question during the present Session.

#### PROCESSIONS OF POSTMEN.

MR. CUNINGHAME GRAHAM: I wish to ask the Secretary of State for the Home Department if he can state by whose authority processions of postmen, proceeding to a meeting in Clerkenwell Green, on the night of Friday, the 16th, were interfered with by the police, and forced to break up; by what authority a bill, purporting to be from the Postmaster General, warning men from attending the meeting, was issued; and if a postman is in any way subject to such discipline as authorises his superior officers to order him not to attend a meeting out of working hours?

MR. SYDNEY BUXTON: May I ask why, on the same evening, a procession of gas stokers was broken up by the police at Mile End?

MR. MATTHEWS: With reference to the last question, perhaps the hon. Member will give notice of it. It was by my authority that processions of postmen were not allowed by the police to proceed along Oxford street or any of the thoroughfares in which the passage of a procession at night must necessarily cause inconvenience and even danger to the public, especially on an occasion when a celebration in the city was likely to bring unusual crowds into the streets. The bill purporting to be from the Postmaster General was issued by the authority of my right hon. Friend the Postmaster General. An order prohibiting Post Office servants from holding meetings outside the Post Office building for the discussion of official questions has been in existence since March, 1866. This order was relaxed by my right hon. Friend in April last, by a Circular in which he allowed such meetings, subject to specified conditions. The Post Office, like any other employer, is entitled to prescribe conditions on which the servants of the Department will be retained in the Service.

MR. A. WILLIAMS: May I ask whether the Order of 1866, said to be more stringent, has ever really been enforced at these meetings?

MR. CREMER: I would ask, on what ground does the Postmaster General claim to prohibit meetings of working men after their hours of employment; whether such is a Constitutional course of proceeding; and why he has taken refuge behind the rules and regulations framed by his predecessors?

MR. J. ROWLANDS (Finsbury, E.): Is Oxford Street, like other neighbourhoods, prohibited to processionists? I also desire to know whether it is the intention of the Home Secretary, if he remains in office long enough, to close all the main arteries of London to processionists.

MR. MATTHEWS: It is my intention to prevent, as long as I possibly can, public inconvenience and danger being caused by processions, or in other ways. As to the action of previous Postmasters General, I must ask hon. Members to give notice of their questions.



MR. C. GRAHAM: Is it not the fact that the procession was a small one of 200 men, which could not obstruct the traffic?

MR. MATTHEWS: I had no reason to believe that the procession would be a very small one. It was represented to me that it would be a very large one.

MR. J. ROWLANDS: Does the right hon. Gentleman contend that all processions necessarily interfere with the comfort of the rest of the public?

MR. MATTHEWS: I must decline to argue such general questions.

MR. PICTON (Leicester): Would the right hon. Gentleman tell us if there are two sets of rules, one for processions of working men, and one for the Lord Mayor's procession?

MR. MATTHEWS: The Lord Mayor's procession is of immemorial standing. If it had to be considered *de novo*, I do not know what view might be taken. At all events, the Lord Mayor does not have his procession at night.

\*MR. CREMER: I addressed a very respectful question to the Postmaster General, to which he has not deigned to reply. I shall put it down for another day, and when the Estimates for the Post Office come under discussion I shall move the reduction of the right hon. Gentleman's salary, with a view of registering a protest against what I believe to be his most un-Constitutional abuse of power.

#### IRELAND—THE TREASON FELONY PRISONERS.

MR. T. M. HEALY: I wish to ask the Secretary of State for the Home Department has he since had an opportunity of reading the Blue Book on the treatment of Mr. John Daly and the other treason felony prisoners; and will the suggestion as to transferring them to another prison be considered?

MR. MATTHEWS: If the hon. and learned Member is referring to the suggestion of the Roman Catholic Chaplain, contained in the last paragraph of the Report, that certain of the treason felony prisoners should be removed for reasons of health, this suggestion was not endorsed by the Medical Officer. The Visitors state that, after prolonged inquiry, they see no reason for concurring in it, and the Prison Commissioners inform me that, in their judgment, there is no necessity at present of acting upon it.

With regard to the removal of prisoners convicted in Scotland, I am still in communication with the Scotch Office on this subject.

MR. T. M. HEALY: I will call attention to this matter on Report. May I ask if the Vote on Account will be taken this week?

\*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I hope it will be taken before the holidays.

#### LICENCES—CASE OF MR. D. M'NAMARA.

MR. T. M. HEALY: I wish to ask the President of the Local Government Board if he is aware that Mr. Denis M'Namara, of Ennis, County Clare, was deprived of his licence by Mr. Cecil Roche, R.M., and other Stipendiaries, because he refused to give an undertaking not to sell *United Ireland*; that, on an application to the Queen's Bench and to the Court of Appeal in Ireland, it was found impossible to review this decision; and will it be possible to deprive a vintner of the right to compensation by Government Stipendiaries after the new Bill is passed in cases of this kind?

\*MR. RITCHIE: I know nothing personally of the circumstances to which the hon. and learned Gentleman refers, but I understand from my right hon. Friend the Chief Secretary for Ireland that the facts are not as stated in the question. I may say, however, that the Bill does not provide for the payment of compensation to any holder of a licence who is refused renewal by the existing authorities.

MR. T. M. HEALY: Does the right hon. Gentleman contend that Mr. M'Namara was not deprived of his licence by Mr. Cecil Roche, and that there was not an appeal?

\*MR. RITCHIE: I contend nothing of the kind. I say I know nothing beyond the reply I have given.

MR. T. M. HEALY: I would like to ask the Chief Secretary what are the facts in the question which he disputes?

MR. A. J. BALFOUR: I understand that, in the first place, the hon. Gentleman is wrong in supposing that Mr. M'Namara's licence was opposed for refusing to give an undertaking not to sell *United Ireland*. I understand it was opposed for an offence under the Licensing Act. It was not done, as the

hon. Gentleman would seem to imply, by Mr. Cecil Roche sitting as a Resident Magistrate, but by the Magistrates in Quarter Sessions; though, no doubt, Mr. Cecil Roche was on the Bench. The matter did not come before the Court of Appeal, but it did come before the Court of Queen's Bench; and I believe, in the fourth place, that the licence was not opposed after it had been suspended for a year.

MR. T. M. HEALY: It did come before the Court of Appeal, and that will give us the measure of the right hon. Gentleman's accuracy in the other points he has dealt with.

#### VALUATION OF LICENSED PREMISES.

MR. M. HEALY: I beg to ask the Chancellor of the Exchequer whether the system of valuing licensed premises by the Inland Revenue Department for the purposes of Probate and Succession Duties, set forth in the Return just distributed to Members, has ever received the sanction of any legal tribunal, or has ever been questioned in a Court of law; and whether, if it simply represents the views of the Department, those views have been in any way modified by the decision in "*Sharp v. Wakefield*?"

MR. GOSCHEN: The practice of the Inland Revenue is based on the well-settled rule of law that goodwill forms part of the estate of deceased persons, and that the goodwill of a public house passes with the public house. This practice has never been questioned in a Court of Law. I must remind the hon. Member that it is the executors or other accountable persons who bring in the capital and annual values into the affidavit and Succession Duty accounts, and that the business of the Department is to check what is thus brought in. The practice has been to assume that the licence will continue. No question on the subject has been raised since the decision in the case of "*Sharp v. Wakefield*."

#### LEGAL BUSINESS IN ANGLESEY.

CAPTAIN VERNÉY: I desire to ask Mr. Attorney General whether he will include Act 2 and 3 Edw. 6, c. 54 (local), for the keeping of the Sessions and county days of the Isle of Anglesey, in Beaumaris, in the First Schedule of the Statute Law Revision [H.L.] Bill?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): It would not be possible to include the Act referred to by the hon. and gallant Gentleman in the Statute Law Revision Bill for the present Session. It is antecedent to the period covered by those Bills, and the Committee have expressly determined not to include any Acts in the Schedule to the Bill which have not already been submitted to the Statute Law Revision Committee.

#### THE CENSUS OF 1891.

MR. ARTHUR ACLAND: I would ask the First Lord of the Treasury if he can say when the Report of the Departmental Committee on the Census of 1891 will be laid upon the Table?

\*MR. W. H. SMITH: We hope that the Report will be presented during the course of this week, and no time will be lost in laying it on the Table.

#### THE COMMITTEE ON SWEATING.

MR. C. GRAHAM: I would ask the First Lord of the Treasury if it is the intention of Her Majesty's Government to act upon the suggestions of the Committee on Sweating, or to give facilities for a Debate on the Report of that Committee?

\*MR. W. H. SMITH: I must refer the hon. Member to the reply I gave on the 8th inst. to the hon. Member for Camberwell; and, having regard to the wish of the Government to deal with the question of factory legislation, I am unable to promise facilities for a Debate on the Report of the Sweating Committee.

\*MR. C. GRAHAM: The right hon. Gentleman is a kind-hearted man, and I would ask him whether, in view of the fact that in that Report is to be found statements that would be almost incredible were they not statements that were made on oath before the House of Lords—statements so strong as to be an indictment on our civilisation—he will not promise facilities for the discussion of a matter of such great public interest?

\*MR. W. H. SMITH: The hon. Gentleman is aware that we desire to deal with the matter by legislation as far as we possibly can. Some of the points mentioned in the Report will be dealt with in the Bill relating to factory legislation, and I trust that hon. Gentlemen opposite

will be kind-hearted enough to give facilities for that Bill passing.

\*MR. C. GRAHAM: I never obstructed.

MR. T. P. O'CONNOR: Will the Government give facilities for the carrying of that Bill by dropping some of those Bills they have already brought in?

[No answer.]

#### THE EDUCATION VOTE.

MR. POWELL: I beg to ask the First Lord of the Treasury whether, in order to consult the convenience of hon. Members, he will undertake not to bring on the Vote for Elementary Education until after the Whitsuntide holidays; and whether he will, in due course, name a day for that purpose with adequate notice?

\*MR. W. H. SMITH: Adequate notice will be given before the Vote for Elementary Education is taken, and it will not be dealt with before Whitsuntide.

#### THE BERLIN LABOUR CONFERENCE.

MR. CUNINGHAME GRAHAM: I beg to ask the First Lord of the Treasury if the Report of the Berlin Labour Conference will shortly be laid before the House?

\*MR. W. H. SMITH: I hope the Report of the Berlin Labour Conference will be laid before the House about the middle of next week.

#### THE SILVER PLATE DUTIES.

MR. CAUSTON: I beg to ask the Chancellor of the Exchequer, in reference to the notices sent to licensed dealers in plate with regard to the claiming of drawback, whether he intends to adhere strictly to the terms of the notice that all claims must be filled up and sent by post to Somerset House on or before to-morrow, otherwise no claim for drawback will be admitted; whether he is aware that the forms of request were received in Sheffield as late as Saturday last, and that considerable inconvenience has been occasioned to manufacturers and their *employés* to get the information together, and that it will be in many cases almost if not quite impossible to furnish the information by to-morrow?

\*MR. GOSCHEN: Out of 14,000 cases there have only been three in which that point has been raised. I will see what

*Mr. W. H. Smith*

can be done in the case of Sheffield, but I have no doubt that generally the order will work smoothly and successfully, and I will see what can be done in individual cases.

#### SUPERANNUATION IN THE ARMY.

\*COLONEL HUGHES: May I ask when the Government propose to introduce the Bill referred to on the 21st April as about to be introduced in a few days relating to superannuation in the Army?

\*MR. GOSCHEN: To-morrow.

#### THE BEHRING SEA SEIZURES.

MR. STAVELEY HILL: I beg to ask the Under Secretary of State for the Colonies whether he has seen in the newspapers a cable from Ottawa that, prior to the prorogation of the Dominion Parliament on Friday, Sir John A. Macdonald, in answer to a question as to the result of the discussion at Washington with reference to the Behring Sea seizures, said that—

"He was unable to give any definite information with regard to the fisheries negotiation; a message had arrived from England which the Ministry could not understand, and he had written for an explanation, which had not yet arrived; and that Mr. Charles Tupper was on his way home from Washington;"

whether the return of Mr. Tupper indicates the close of the negotiation, and whether he will communicate to the House the terms of the message which the astute Prime Minister of the Dominion and his Ministers cannot understand.

\*BARON H. DE WORMS: The return of Mr. Tupper to Canada does not indicate the close of the negotiations. The message has since been explained by a later telegram. It did not relate to the Behring Sea negotiations.

#### SUPERANNUATION.

MR. H. H. FOWLER: May I ask whether a Return showing the superannuation in all Departments of the State will be laid on the Table before the Committee stage of the Local Taxation Bill?

MR. MATTHEWS: A Return similar to that presented by Mr. Hibbert, but fuller, will be presented. It has been in course of preparation for some days, and will be laid on the Table shortly.

## BONDING OF SPIRITS.

MR. T. M. HEALY: I wish to ask the Chancellor of the Exchequer whether the letter, dated the 16th of May, to a Scotch gentleman named Ramsey, respecting the bonding of spirits, from his Secretary, was written by his directions? It states that he is afraid the Bill for the bonding of spirits cannot be introduced at present.

MR. GOSCHEN: Of course, it is impossible to say whether such a Bill can be introduced or not. It is a very difficult subject.

## BUSINESS OF THE HOUSE.

MR. ESSLEMONT: Seeing that the Whitsuntide holiday is only to last three days, and it takes one day to go to the North of Scotland and another to return, I beg to ask the First Lord of the Treasury whether he will not withdraw the Whitsuntide holidays altogether, except Whit Monday, and give us three days at the end of the Session instead?

MR. DILLON: On what day does the First Lord of the Treasury propose to take the Vote on Account?

\*MR. W. H. SMITH: It will be convenient that I should say that, in the event of the Customs and Inland Revenue Bill not being passed through Committee to-night, I shall to-morrow ask the House to give precedence to it over all other Orders of the Day and Notices of Motion until the Bill is passed into law. The Vote on Account will follow the conclusion of the Customs and Inland Revenue Bill, and must be taken before the holidays. As to the question of the hon. Member for Aberdeenshire (Mr. Esslemont), I should be sorry if he were deprived of his holidays; but I will take notice of his recommendation.

MR. J. ROWLANDS: I beg to give notice that in the event of the right hon. Gentleman moving for precedence I shall oppose the Motion.

MR. T. M. HEALY: Is the right hon. Gentleman aware that in 1885, when the Spirit Resolutions were before the House, it was the 8th of June before it was proposed to read the Budget Bill a second time? It is now only the 19th of May; and seeing that the question is interwoven with several Bills I would ask, what is the hurry in May, 1890?

\*MR. W. H. SMITH: I think that it would be exceedingly unwise for us to follow that bad precedent.

SIR W. HARCOURT: Does the right hon. Gentleman mean by a bad precedent the turning out of the Government on this question?

\*MR. W. H. SMITH: I invite the right hon. Gentleman to endeavour to accomplish that purpose.

MR. T. M. HEALY: Will the right hon. Gentleman state when the Irish Land Bill will be dropped?

\*MR. W. H. SMITH: If it will relieve the mind of the hon. Member I may tell him that it will not be dropped.

SCHOOL BOARD FOR LONDON  
(SUPERANNUATION) BILL.

MR. T. P. O'CONNOR: I wish to ask the hon. Member for Evesham (Sir R. Temple) whether he intends to-night to take a stage of the London School Board (Superannuation) Bill?

\*SIR R. TEMPLE: I certainly shall if I possibly can.

MR. T. P. O'CONNOR: Will the right hon. Gentleman the First Lord of the Treasury grant any facilities for its discussion? It is strongly supported by the teachers, and the opposition to it is rapidly diminishing.

\*MR. W. H. SMITH: Certainly, Sir; if the House passes our measure we shall be very pleased.

MR. T. P. O'CONNOR: As the opposition now comes almost solely from the hon. Member for Wigan (Mr. F. S. Powell), will the right hon. Gentleman use his influence with his supporters to induce him to let the Bill pass?

\*MR. W. H. SMITH: I will make inquiries on the subject.

## NEW MEMBER SWORN.

Henry Harrison, esquire, for County of Tipperary (Mid-Tipperary) Division.

## MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled "An Act to amend the Open Spaces Act." [Open Spaces Bill [Lords.]

## MOTIONS.

HOUSING OF THE WORKING CLASSES ACTS  
(AMENDMENT) BILL.

On Motion of Mr. Ritchie, Bill to amend the Act relating to Artizans' and Labourers' Dwellings and the Housing of the Working Classes, ordered to be brought in by Mr. Ritchie, Mr. Secretary Matthews, and Mr. Long.

Bill presented, and read first time. [Bill 284.]

HOUSING OF THE WORKING CLASSES ACTS  
(CONSOLIDATION) BILL.

On Motion of Mr. Ritchie, Bill to consolidate the Acts relating to Artizans' and Labourers' Dwellings and the Housing of the Working Classes, ordered to be brought in by Mr. Ritchie, Mr. Secretary Matthews, and Mr. Long.

Bill presented, and read first time. [Bill 285.]

## ORDERS OF THE DAY.

CUSTOMS AND INLAND REVENUE  
BILL.—(No. 231.)

Considered in Committee.

(In the Committee.)

Postponed Clause 4.

(5.5.) MR. T. M. HEALY (Longford, N.): I beg to move to insert, after "ninety," in line 9, page 2, "in England and Scotland, but as regards Ireland, after the passing of any Act relating to Local Government in Ireland." I understand that some of the Scotch Members find considerable fault with my Amendment, on the ground of its moderation—that it does not extend to Scotland. Personally, I cannot go into a discussion I do not understand, and therefore, I have confined my Amendment to Ireland. I hope that even at the eleventh hour the Government will give us some assurance as to the way in which they propose to conduct this measure. Let me put before the Chancellor of the Exchequer the position in which the Irish Members find themselves. We have before us a Bill brought in in a manner in which no other Bill has ever been introduced before, because in its Preamble the Bill sets out that we grant Supply to Her Majesty; but in another clause it provides that the moneys shall be dealt with as Parliament may hereafter determine by Act of Parliament of the present Session. Then the Bill speaks of two Bills, neither of which has yet passed, namely, the Land Purchase

Bill and the Bill relating to Local Government in Ireland. Irish Members intend to support this Amendment, in order to relieve themselves from this triple embarrassment. We protest against a Budget Bill containing clauses relating to Local Government; we protest that when it does so contain them we should be referred to a Bill to be dealt with in this present Parliament, a Bill which may never become law, a Bill which, even if it does become law, refers us to two other Bills which may never become law, namely, the Land Purchase Bill and a Bill not yet introduced, a Bill for Local Government in Ireland. We are confronted with three Bills—the Probate Duty Bill, the Land Purchase Bill, and the Bill for Local Government—and we are asked to give a tax to the Government on the contingency of the three Bills passing, two of which have only been read a second time, and one of which has only been promised in the Queen's Speech. I hope that light may penetrate the mind of the Government on this point, at least so far as Ireland is concerned. The position the Government has taken up is absolutely unexampled. I challenge them to produce a single precedent for anything that has been done in regard to this Bill. It is surprising no one has ventured to consult Mr. Speaker as to whether such embarrassment has ever before been placed in the path of private Members. Personally, I believe the embarrassment has been designedly created by the Government. Now, I desire to address myself to the more immediate matter of the Amendment. I have not had the opportunity of consulting my Colleagues on the point; but I heard with considerable satisfaction the statement which the Chancellor of the Exchequer and the Chief Secretary were good enough to make on Friday night. That statement tended to some extent to alleviate our position, and, accordingly, I welcomed it. But we want to know before we assent to these taxes how much further the Government are prepared to go? Are they, for instance, prepared to enable us to have the Corporations who are to have the disposition of the money elected upon a franchise similar to that on which the County Councils in England and Scotland are elected? If the municipal franchise in Derry, Belfast, and other towns

is reduced, so that the Corporations can be popularly elected, the position will be vastly improved so far as the towns are concerned. I wish the Government to understand that I, speaking for myself, do not at all reject the suggestion which has been made. On the contrary, I think it is a matter which in principle we might fairly be inclined to admit if the Government will consent to reduce the franchise in Ireland to the level of the franchise in England and Scotland. Then we come to the consideration of the more important question, the question of the counties. We are asked to agree to this tax, although we are placed in a position that Englishmen and Scotchmen are not placed in. Englishmen and Scotchmen address themselves to the consideration of this question, knowing that Local Government prevails in their counties and boroughs, and that if the tax be inequitable, and they object to it, they will get value for the cash they have paid. That is not the case with us, and I should have imagined that before the Government proposed or attempted to carry a tax like this, in face of the Irish people, they would have made some effort to redeem their pledges on the question of Local Government. It is now 10 years since the first real pledge on the subject of Local Government was given; Local Government was promised in the Queen's Speech of 1880. It is now 1890, and the same pledge is given almost in the same terms. I can carry my mind back to the glorious time of Conservatism in Ireland, when the Member for the Isle of Thanet (Mr. J. Lowther) was Chief Secretary to the Lord Lieutenant. That right hon. Gentleman went the length of introducing a Bill to create Local Government, so that, so far as the legislative history of the question is concerned, Local Government in Ireland is as old as the hills. Yet we find the Government proposing the imposition of a tax in regard to our country, while any advantages resulting from it are made dependent upon the existence of a system which, as yet, does not prevail in Ireland. I admit also, for myself, that my position is, to some extent, illogical. My objection to the tax is not so much as a Customs Tax as an Excise Tax. I would prefer to see the Customs Tax

increased instead of reduced. I do not want to see German spirits at 9d. introduced, while Irish spirits are taxed at the rate of 4s. or 5s. Having said that much, let me point out to the Government that as they have refused to carry out the policy laid down by the noble Lord the Member for South Paddington (Lord R. Churchill), the policy of similarity and simultaneity, there is no reason why we in Ireland should be embarrassed simply because of a little Customs difficulty. I do not think we need contemplate any smuggling, especially if we adopt the word hogshead—men cannot carry hogsheads in their waistcoat pockets. Now, I should like to know why the Government will not let us see their hand, their trumps, on the question of Local Government? Why do not they, at any rate, introduce their Bill? In 1886 the noble Lord the Member for South Paddington said—

"Why deal with these trumpery questions now, when next year you shall have the Bill which shall enable you to deal with all these local taxes."

That is four years ago. Are we to put any faith in the words of Ministers and noble Lords? And if we cannot believe the noble Lord the Member for South Paddington, what faith are we to put in the statements of the Chief Secretary for Ireland? The noble Lord has never gone about abusing the Irish Members; he has always treated them with courtesy and respect; and if I may institute a comparison between the two Gentlemen, I would certainly as soon believe the noble Lord as the right hon. Gentlemen. I will make a practical suggestion to Her Majesty's Government. Let them introduce their Local Government Bill, which everybody is anxious to pass. It will meet with no opposition if it is anything like the Bills which were passed for England and Scotland. It will have the blessings of the distinguished Gentleman the Member for West Birmingham; it will have the support of those enlightened Tory democrats the Members for South Belfast, North Armagh, and North Antrim. Let the Government for the moment drop the Irish Land Purchase Bill, which no one is anxious about, which only takes up time, and the money to be divided by which is not required—because they

have £5,000,000 of the Ashbourne Act money unspent—and bring in a non-contentious measure of Local Government. If this were done, instead of continuing the wrangle as we have been doing for a considerable time past, everybody will be satisfied. The *Tory Press*, which is so anxious to confer Local Government upon Ireland, would be delighted. The right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain) would be pleased, and the noble Lord the Member for Rossendale (the Marquess of Hartington) would be very well satisfied also. The three Parties would lie down in amity and friendship together. We all know it is simply want of time that prevents such a measure being brought in. Let me now point out some of the inconveniences which must arise if the Government do not adopt this suggestion. They are manifold. In the first place, we shall have to vote this money blindfold. We do not know how it is to be spent. I am told it is to be placed in an account; but we shall not be able to look at the account and see how the money is going. Perhaps the Government are going to spend the money on the police in Ireland and extra battering-rams. Perhaps they are going to lend it to the hon. Member for South Hants (Mr. Smith-Barry)—

THE CHAIRMAN: I must invite the hon. Member to address himself to the discussion of the practical question. He has been extremely discursive for some time.

MR. T. M. HEALY: Well, Mr. Courtney, if you will tell me how this money is to be spent I will discuss the method of spending it. The difficulty I find is how to discuss the question of the way the money is to be spent.

THE CHAIRMAN: The hon. Member is quite entitled to refer to the fact—if it be a fact—that the money is to be locked up. He is not entitled to discuss the other questions.

MR. T. M. HEALY: I find that the money is to be locked up in this way. £40,000 will be assigned for the extinction of licences. No machinery, however, is provided by the Bill now before the House for the extinction of licences. Englishmen and Scotchmen are to have their licences extinguished; but we are to be definitely prevented from adopting a similar course in Ireland. The Chief

*Mr. T. M. Healy*

Secretary for Ireland will deny to places like Dublin, Belfast, and Derry, which are equipped with the machinery of Local Government, that power of extinguishing licences which Liverpool, London, and other towns in England are to enjoy. I ask the right hon. Gentleman to defend that position, and say why, in those places where Local Government exists, this power of extinguishing licences should not be put into operation? I will tell the right hon. Gentleman the reason: It is that he does not intend to apply the money in this direction at all. The Government will lock up the money, and will never introduce a Local Government scheme. Ireland will probably have the money used for horse breeding, or Queen's Plates, or the other purposes for which this Act enables it to be used. I know I shall be told by the Chancellor of the Exchequer that the Government are willing to give us these powers in relation to cities and towns, and that we will not have them. No, Sir, we will not have them unless the Government give us them on the same franchise as that which exists in England and Scotland. We will not take them unless Derry and Belfast can have the same franchise as London, Liverpool, and Glasgow. I ask the Government whether they will carry out our wishes in this respect? In consequence of the manner in which they have dealt with this question, the Committee is placed in the most astounding position. Not one single argument used on the question of temperance during the last three years can be made applicable to Ireland. The hon. Member for South Tyrone (Mr. Russell) declared that he would not vote for the Second Reading of a Local Taxation Bill unless Ireland was included in the Licensing Bill. Ireland has not been included in the Licensing Bill; but the hon. Gentleman found himself able to vote for the Local Taxation Bill in spite of his promise. What is your position? You have brought in a Bill under which no advantage is to accrue to Ireland. No Government could have made such a proposal with less justification. I can understand such a course being adopted in respect to coercive legislation; that you might have declared a necessity, but here without any real need you put an aggravated tax on the chief article of Customs, and at the same time refuse to

give us the machinery for spending the money thus raised. We are to be deprived of the right of extinguishing drunkenness in Ireland until that country arrives at a normal condition; in addition to being agrarian criminals we must be intoxicated drunkards. You say your Bill is for the promotion of temperance, to spread the blessings of temperance throughout the length and breadth of the land, yet you deny those blessings to Ireland. Our country is continually taunted with being a drunken country; yet, when we ask to be allowed to apply this additional tax on whisky to the extinction of public houses, we are told we must continue to drink until Ireland assumes a normal condition. A more fatuous and absurd position was never taken up by any Government; and yet that is your position because a single Member of the Cabinet has taken up a position adverse to Local Government in Ireland. I am not now referring to the precedent of the Local Government Board, nor to the Chancellor of the Exchequer. We know the latter to be a most liberal-minded man, and in favour of the extension of Local Government. So are many of his Colleagues, but because the Chief Secretary has to redeem the pledge of his noble relative to give us 20 years of resolute Government of which only three have elapsed, we are for 17 years to be deprived of the right of extinguishing licences; we are to be stopped for 17 years in the march of temperance, and we are to remain open to the taunt of being drunkards and intoxicated spend-thrifts. That is the position in which you respectable Conservative Gentlemen place us by your proposal to lock up this money. I beg to move the Amendment which stands in my name.

Amendment proposed,

In page 2, line 9, after the word "ninety," to insert the words, "In England and Scotland, but as regards Ireland, after the passing of any Act relating to Local Government in Ireland."—(*Mr. T. M. Healy.*)

Question proposed, "That those words be there inserted."

(5.35.) THE CHANCELLOR OF THE EXCHEQUER (*Mr. GOSCHEN*, St. George's, Hanover Square): I must decline to enter into a discussion of the Constitutional questions such as the reform of Local Government

and of the Municipal Corporations which are raised by the Amendment. A great portion of the hon. Gentleman's speech has been but a repetition of arguments which he has already addressed once or twice at considerable length to the Committee; and I do not intend to go over that again. I am sure the hon. Member himself will see that it is impossible for the Government to accept the Amendment, and I trust it will not be pressed to a Division now that the hon. Gentleman has made his protest. We could not impose a higher duty on spirits in England and Scotland than we do in Ireland. The hon. Member suggests this could be easily done. I differ from him entirely; I say there would be very great difficulty, and I suspect he only throws out that suggestion as a peg upon which to hang the frequently-expressed desire to suspend this part of the Bill.

MR. T. M. HEALY: It would only be a temporary suspension. You could bring in your Irish Local Government Bill and then put us all on an equal footing.

MR. GOSCHEN: Yes, and in the meantime create a corner in favour of Irish whisky. I scarcely think this is a business-like suggestion. Remember that, after all, we are only discussing the application of £40,000 out of the £900,000 to be raised by this Bill. I repeat we cannot re-introduce a Differential Spirit Duty.

(5.40.) SIR W. HARCOURT (*Derby*): No doubt the proposal to impose a Differential Customs Duty in favour of Ireland would be a source of great inconvenience. But the inconvenient position in which we find ourselves arises; from the fact that we are now discussing what the right hon. Gentleman himself has described as a Local Budget. We are discussing not an Imperial Tax, but local taxation for purposes of Local Government. That necessarily raises difficulties in reference to the character of the Local Government. In England and Scotland we have got Local Government, and when we have levied a local tax we may proceed to apply it. But in Ireland there is no Local Government to deal with, and this circumstance is at the root of the embarrassment in which we find ourselves. This is the real *cruz* of the matter. You



surely ought to state what you are going to do in Ireland with this money. I have never heard the Government state what they are going to do with it. How are you going to dispose of it for the benefit of Ireland? The difficulties are insuperable. As long as there is no Local Government in Ireland you cannot deal with the money. Certainly, therefore, it is not an unreasonable conclusion for hon. Members to draw that as there is no Local Government in Ireland the money ought not to be raised in Ireland. Three or four years ago the Government promised that the necessary machinery should be supplied, but still it does not exist. Yet, having failed to fulfil your pledge, you propose to raise in Ireland a tax, although you cannot deal with it when you have raised it. This is a point worth arguing; you have not yet attempted to answer it. You are proposing a great financial injustice; you are imposing a tax in such a manner that hereafter the Government will be unable to deal with it for Imperial purposes. The present Amendment is founded in the fact that this is a Local Government tax. The Government have talked about the application of the Bill to temperance purposes, but how are they going to so apply it in Ireland under present circumstances? I hold that until some fuller and clearer explanation is given by the Government in regard to the application of the tax to Ireland, the Irish Members will be justified in protesting against it. You cannot expect to make progress with this Bill until you bring it into conformity with your own declarations.

(5.47.) MR. DILLON (Mayo, E.): I hold that the proposal of the Government is unparalleled. I believe that in the whole history of taxation there can be found no precedent for such a tax as this, especially in its application to the Irish people. For, by the proposal of the Government, we are to be called upon to vote an increase of taxation of a most oppressive character on the Irish people; while, at the same time, the tax is not immediately needed, and the Irish people are to be denied the right of using it. The proceeds, so far as Ireland is concerned, are to be locked up in the public chest until some Bill is brought forward, which may not even be drafted as yet. A more unjust or unwarrantable proposal was never made. I venture to say

• *Sir W. Harcourt*

that no British Finance Minister would dare to levy a tax in similar circumstances on England or Scotland; and this is only another illustration of the unfair and unequal treatment which is meted out to Ireland by the English Government. Yet we are to be held up to odium because we are protesting, on behalf of our constituents, against a course of procedure which no English Minister would dare to apply to the United Kingdom generally. The other day the Chief Secretary stood up in this House and, with his eyes turned to Heaven, asked what alternatives the Government had before them. He said they had no machinery in Ireland by which the tax could be used immediately in that island. He went through two or three alternatives and rejected them all as impossible. But if you want a tax which is to be used in England and Scotland for local purposes, and which cannot be used in Ireland for similar purposes, why not impose one which affects only England and Scotland? There are many methods by which you could do this; why not increase the Income Tax or the House Duty? No, the Chancellor of the Exchequer says he must have a tax on whisky. Then why not limit the increased tax to England and Scotland? Because, says the Chancellor of the Exchequer, a differential duty would be so inconvenient. But if the right hon. Gentleman chooses to adopt the inconvenient course of raising his tax, then he ought to put up with the inconvenience of a differential duty rather than act unjustly towards Ireland. I know it is convenient to have a common Customs Duty for the whole of the United Kingdom, but the right hon. Gentleman might remember that for 60 years after the Act of Union there was a Differential Duty. When English Governments have, in the past, brought in an Arms Bill, they have not troubled their consciences much about the inconvenience of searching for arms. I have noticed this on more than one occasion, that when it is a question of abridging the liberties of the Irish people, or inflicting any oppression on them, no amount of inconvenience is allowed to stand in the way, and you are absolutely indifferent on the question of expense, but when it is a question of doing justice to the people, and of not enforcing a tax for which

there is not a shred of justification, and which no one attempts to justify, you are then swayed by the suggestion that it would be inconvenient to have a differential duty, and you are thereby induced to inflict a gross injustice on the people of Ireland. How is it that this duty is proposed? It is because the Chancellor of the Exchequer, two years ago, was defeated on his proposal to levy a Van and Wheel Tax. This Whisky Duty is intended to fill up the vacuum thereby created. The right hon. Gentleman ought to have adhered to his former proposal, which would have fallen with three-fold greater force on the richer country than on Ireland. Why should the right hon. Gentleman tax the drink of the poor of Ireland? Why should he not, instead, propose a tax upon the luxuries of the rich, upon their champagne and upon their expensive cigars? Why should he take the money out of the pockets of the labouring classes? The right hon. Gentleman said, the other day, that drink ought to be made to pay for the suppression of drunkenness. Why, a more preposterous argument was never put before the House. The question to be considered is, on whom will the tax chiefly fall, and by whom ought the burden to be borne? I say this tax on spirits will fall chiefly on the labouring classes, and that the burden ought to have been placed on the luxuries of the rich, rather than on those of the poor. That proposition is tenfold stronger on the other side of St. George's Channel. I protest against this proposal in its entirety, but more especially against including Ireland in the scope of this taxation, putting upon our already overburdened people, who pay double their proportional share of Imperial taxation, a tax of the most oppressive character that could be imposed upon the people of Ireland, and at a time when it is not needed for Imperial expenditure, and is not to be used for local expenditure in Ireland. We are not to be allowed to expend it, so there is not the shadow of any ground for justification of the imposition, and I think we are justified in resisting it by every means in our power.

(6.1.) MR. HUNTER (Aberdeen, N.): My only objection to the Amendment of my hon. Friend is, that he leaves in the words "and Scotland," the effect of which

will be, that while he will relieve Ireland of the new tax, he will expose Scotland to all the evil of the Chancellor of the Exchequer's proposal. I do not think a more impudent proposal could be made under existing circumstances than to propose to tax Scotch whisky in the way proposed in the Bill.

MR. GOSCHEN: This clause relates to foreign spirits.

MR. HUNTER: Then I must reserve my remarks.

(6.2.) MR. CLANCY (Dublin Co., N.): The Chancellor of the Exchequer, in the course of his reply, stated that he supposed my hon. and learned Friend's Amendment was merely a peg on which to hang discussion of the proposals as they affect Ireland. I do not think my hon. and learned Friend need be ashamed if that is the case. I think we have every right to seize every opportunity to protest against the postponement of the Local Government Bill for Ireland. There is a Member of the House sitting opposite from whom I hope we may have some expression of opinion on this matter; I mean the noble Lord the Member for Paddington (Lord Randolph Churchill). In the Autumn Session of 1886 the noble Lord made a declaration to which many references have been made. I remember the occasion very well from circumstances surrounding it. I remember the noble Lord declared that Ireland should be treated with similarity and simultaneity to England and Scotland, and I remember that on that occasion he was applauded by many of his followers. More than that, some two years ago, when the Bill of my hon. Friend the Member for North Kildare on the subject of Local Government was before the House, the noble Lord emphatically repeated his statement, and again when the English Local Government Bill was before the House the noble Lord said he supposed, and could not believe otherwise, that a similar Bill would be introduced for Ireland. In the face of these declarations, I think the noble Lord is morally bound to join us in our protest against the further postponement of this local measure for Ireland. The Chancellor of the Exchequer has stigmatised as ridiculous the proposal to put a differential duty on Irish spirits, but it seems to me that so long as we have this

differential treatment in the matter of Local Government a differential duty on Irish spirit is a most reasonable proposition, and the burden of proof lies with the right hon. Gentleman, and not with us. The difficulties about a Customs cordon exist only in the right hon. Gentleman's imagination. No difficulty is found in giving Ireland the administration of the Coercion Act, and there is an army of police available for a Customs cordon. I trust we may have the assistance of the noble Lord the Member for Paddington on the lines of the declarations he has previously made.

(6.6.) MR. J. O'CONNOR (Tipperary, S.): As the noble Lord makes no sign of response to this invitation, I will say a few words in support of the proposal of my hon. and learned Friend. The Government are pursuing a dog-in-the-manger policy in reference to the whole question. My hon. and learned Friend (Mr. T. M. Healy) has introduced a Bill for the purpose of curtailing or entirely stopping the issue of new licences in Ireland, but in response to the appeal of my hon. and learned Friend the Government decline to afford him any facilities for passing this Bill into law, and I, therefore, think he is occupying a logical position in asking that the present measure shall not apply to Ireland until Local Authorities have been established there for the purpose of giving effect to the purpose of the Bill in this respect. It is, I say, a "dog-in-the-manger" policy. The Government will not give us any control over the issue of licences, yet still they insist on imposing this tax, which is intended in England for the purpose of extinguishing licences. The Chancellor of the Exchequer says there would be difficulties in carrying out the arrangements in regard to different taxation, but let me point out that there is the machinery in existence; there are the Customs Houses in Ireland, the Customs officers, the Revenue officers; the books, as it were, are open. There are the clerks, the gaugers, and the whole staff, and, it is futile to say the plan could not be carried into operation. It is an utterly absurd suggestion coming from the right hon. Gentleman, who is presumed to be, and I suppose is, one of the leading business men of the country. It would not be business, he says, but I say

*Mr. Clancy*

it is a very bad business to go on robbing the Irish people by the imposition of this duty from now until the time when, in the opinion of the Government, it will be right to pass a Local Government Bill for Ireland. Robbery of the Irish people it will be ever, though the money will be hung up, for I believe, though the interest be allowed to accumulate, it will become more difficult to spend the money, as is proposed, without great injustice to many parts of Ireland. It will become more and more difficult and a much worse business to carry out the proposals of the right hon. Gentleman. I cannot, for the life of me, see what difficulty there would be in the future as soon as the Local Government Bill for Ireland is passed making provision for this tax, for which now, as regards Ireland, there is no defence. The "normal condition" of Ireland has been referred to. The normal condition of Ireland has ever been agitation and coercion. Do the Government think that while we have no Local Government in Ireland we shall have no agitation there? If they indulge in any such hope I promise them it will not be fulfilled. While the Irish people have their rights withheld from them there will be agitation, of a more or less violent character, and with agitation I suppose there will be coercion, and that will continue to be the normal condition of Ireland, and so, if we wait for a change in this normal condition of Ireland for the Local Government Bill we shall wait for all time. We shall wait beyond the 17 years of resolute government still to run before the Irish people are accorded Local Government. That is what I have to say in support of the Amendment of my hon. and learned Friend and Colleague, and the arguments that have been—if I may call them arguments—addressed to the House by the Chancellor of the Exchequer will not hold with any business man, or with any Member of the House who desires to see justice done to the people of Ireland.

(6.13.) MR. T. M. HEALY: The Government appear to be lost to all sense of shame in this matter. Every argument addressed to them is met with silence, and no attempt is made to parry any of our statements. They have no case, but they have the Closure. The whole case for the Government lies in

their capacity to meet us in that way. They cannot maintain their position; our protests are disregarded; this money is to be raised, though it is to be locked up, and we are not to be allowed to handle it; simultaneity of taxation is to be maintained, similarity of treatment, else there is to be none. I should have hoped some sensible man in the Conservative ranks would have asked what the Government mean by this imposition of taxes they do not want. An amount of £250,000, I suppose, is to be levied, and the money is not required! Is this a Constitutional state of things? Heavy taxes we have had to pay before now, but they have been to pay the expenses of wars and rumours of wars, but this tax is not to be employed; it is as useless as the talent buried in the ground; it is to be buried in the bank, and we are not even to use it in buying out publicans! The right hon. Gentleman says it is inconvenient to have separate Customs House arrangements, and so rather than have an extra clerk or two we must pay this taxation, though the money is wanted for no purpose, but will lie in the bank, or, perhaps, be invested in Egyptian Bonds. Whatever inconvenience there might be you could remove at any time by passing a Local Government Bill. It would be but a spur in your sluggish sides to stir you up to legislative action. Why, I do not suppose the Nabobs of India, or the Sultans of Turkey, or even the gentleman who rules over Egypt, would levy taxes which are not required; but this is what the Government of Ireland has come to! I doubt if it would be done in the Congo State, or any other habitable quarter of the globe. You impose this tax, and, I suppose, at the end of 20 years of resolute government you will take out the money and allow us to buy out a few publicans. This is the Unionist Government you are proud of; this is the legislation we ought to be delighted to undertake a seasick journey of hundreds of miles to come here to assist in! The hon. Member for North Armagh seems to enjoy the position, and he is the author of the sentiment that "England never wiped the eyes of Erin without making her pay for the handkerchief." He relishes the idea, but I suppose on or about the 12th July there is an average amount of whisky consumed in his constituency, and yet he is content to pay

the tax, though his constituents are not to have the power of using it to lessen the temptation to over drinking. Tax yourselves as much as you like; tax us, if in your wisdom you think it right; but, at least, have a decent pretext for it. Where is your usual hypocrisy that you can only urge simultaneity and similarity as a reason for making an Irishman pay more for his whisky? An appeal has been made to the noble Lord (Lord Randolph Churchill), and I second it. I admit the difficulties of his position, but he has never spoken contumeliously of Irish Members; he has always spoken kindly of our country and our claim to be treated with equality in the government of the three Kingdoms; he has declared in favour of Local Government; and we may appeal to him to assist us in extracting some statement from the Government. Is this promise of Local Government to remain ever a recurring decimal; is there always to be a full stop before it? In the history of hypocrisy and broken pledges in British dealings with Ireland, no Government has ever gone the length of this Liberal Unionist Chancellor of the Exchequer. If this is Liberal Unionism, I prefer brigandage. A brigand takes your money, but he spends it upon his own amusements, even if he only takes an excursion to Egypt; but our money is to be taken and locked up, with the right hon. Gentleman sitting on the chest. Is this your statesmanship? Why, the darkest African chief, the puniest pigmy Stanley discovered, would invent a better system of statesmanship than this. I challenge any hon. Gentleman opposite to give us any other explanation than that you want to work your spite on Ireland, to show Irishmen they are a humbled and conquered people, that they are not to have the right that Englishmen and Scotchmen enjoy, the poor enjoyment of buying publicans. It is not a sport for which I myself have a keen relish, but whether or not it is an excellent thing to distribute this money among the brewers and large owners of tied houses, at least, since we supply the money, we may claim a share in the distribution of it. If the Irish are the most drunken people on earth, why are they to be deprived of this miserable satisfaction? As an Irishman I know I am one of a drunken,

degraded race, and that, from your higher moral standpoint, you look down upon our degraded state; but why do you baulk the Irishman's desire to have the means of cutting off his own sins? You say Ireland is not in a normal condition, but we are as your Unionist Government has made us. We are brought here to take part in the equal government of the three Kingdoms, but not one among the Conservative Party is able to raise his voice in explanation or defence of this proposition. On Friday the Chancellor of the Exchequer made some attempt to defend the tax. "We will avail ourselves," said he, "of the existing machinery of Local Government in large towns." "Yes, certainly," we said, "and a simple clause of three lines will remove all difficulty." I will draft it myself if your Government draftsman is too much engaged. But now that we claim equal treatment for Nationalist and Orange municipalities you turn round and refuse what we could have had on Friday. Our object is to give the working class, who feel the evil of the existing public houses, a share in the means of extinguishing the evil. No one has a vote except those who do not use the public house, the club men of Derry and Belfast. To show the absurdity of the position, compare a town like Colchester with Derry. The population is about equal, but in the first there are 4,792 municipal electors, in the other case 981, and yet you will not let an equal number in either town have a voice in reducing the means of drunkenness. The people who exercise the municipal franchise in Ireland are not the people who have the evils of the drink trade brought home to them in their lanes and alleys. You will not give attention to this, because it will take up a few hours of Parliamentary time. Take a Saturday Sitting for the purpose; we will be ready enough to take part in a measure for equalising the municipal franchise to that of England. We will sit through September to accomplish this. What idle talk is this of the difficulties of a Customs cordon, because a few more guagers may be required. You have your cordon now in respect to the introduction of arms, and whatever inconvenience arises you can relieve yourself of it at once by establishing Local Government. Will the right hon.

*Mr. T. M. Healy*

Gentleman be candid enough to tell us when the Local Government Bill will be introduced? He says my Amendment is but a peg to hang argument upon; but I suppose an argument must hang upon something, call reason a "peg" if you like, its purpose is still the same, but drive the peg home if it is in the way, and say what your Local Government is to be, and when it is to be proposed; do not meet our arguments for equal treatment, equal rights, with charges of obstruction and use of the Closure. We have caught you in the fact, you are naked and yet not ashamed, and it is our duty to expose such suggestions as you have put forward. Smarting, as they do, under the disabilities which I have mentioned, the Irish people have no more aggravating form of oppression than will be produced by this tax; and it is under the circumstances I have stated that I strongly urge the House to support our claim for equal rights to Ireland.

(6.32.) *MR. MOLLOY* (*Kings Co., Birr*): I should like to ask the right hon. Gentleman this question. Will the money be paid to a separate account pending the establishment of Local Government for Ireland, or will it, in the meantime, be used for any other purpose? If the money is to be used for other purposes, it is quite clear that Local Government for Ireland will be delayed as long as possible.

*MR. GOSCHEN*: The hon. Member need not have any fear that there is a desire on our part to keep the sum of £40,000 in hand. The money will be invested in the names of the Commissioners for the National Debt.

(6.33.) *MR. STOREY* (*Sunderland*): Before this vote is taken, it ought to be clearly stated by the Chancellor of the Exchequer that the money voted for one year is not to be used for another, or in ten years to come.

*MR. GOSCHEN*: I did not intimate anything of the kind. I spoke of the sum of £40,000, and I said there need be no fear of any desire to keep that sum in hand.

*MR. STOREY*: But the money will accumulate, if it is not used. The Party opposite are supposed to care more for Constitutional facts than we on this side; but if you look back to the whole history of England, it will be seen that some of the severest conflicts between this House

and the Crown have been as to the right to use the public money, and it will be difficult to find an instance where the House has admitted that the Crown could lay by money for future use. Take the great conflicts of Elizabeth's time. [An hon. MEMBER: Oh, oh.] An hon. Member says, "Oh, oh."

MR. DILLON: Perhaps he never heard of that time.

MR. STOREY: The hon. Member who interrupted me has been travelling so much in Asia that he seems to have forgotten the rest of Europe; but I regard the matter as extremely germane to this question as to the control the House should exercise over the National money. There were conflicts in Charles I. time between the Crown and the people as to the employment of the National funds. Suppose King Charles had come down to this House and had asked the then Chancellor of the Exchequer for £400,000 or £500,000 which he had no immediate use for, but which he intended to make a purse of. What, I ask, would there have been to prevent him from creating a fund by means of which he might ultimately have put down the Parliament? I contend, as a Radical and a Constitutionalist, that it is extremely improper for the House to vote any money which the Government does not propose to expend during the existence of the financial year. That is a principle we have contended for and affirmed over and over again on this side of the House. I object to those who call themselves the Constitutional Party coming here to prevent our discussing these questions as fully as we desire. I say that they are now proposing to take money which they do not mean to spend during the financial year, but to make a purse of; and I have known the time when if such a proposition had been made by us it would at once have been denounced as unconstitutional, and hon. Gentlemen opposite would have stumped the country against it. We say that such a proposal is extremely dangerous, and therefore we enter our serious protest against it.

(6.40.) MR. H. H. FOWLER (Wolverhampton, E.): I should like to ask the Chancellor of the Exchequer whether this money is to be in any way im-

pounded or made available for purposes of the Irish Land Purchase Bill, so as to make it an additional tax on the people of Ireland, which is to be applied for the benefit of those who take advantage of that measure?

MR. GOSCHEN: I would refer the right hon. Gentleman to the Bill itself.

MR. H. H. FOWLER: The Bill provides that the Irish share of this money shall be

"Subject to the provisions of any Act hereafter passed relating to the purchase of land in Ireland."

So that this additional taxation which is to be placed on the people of Ireland is to form an additional guarantee for the large sum of money to be advanced to the Irish landlords. I do not wish to prolong the Debate; but I think it is worthy of note that the Chancellor of the Exchequer has very carefully guarded himself as to the date of future Local Government in Ireland, and that there is no provision in the Bill for the suspension of licences in Ireland.

MR. GOSCHEN: That has been explained over and over again.

MR. H. H. FOWLER: It was explained that that provision was made by accident.

MR. GOSCHEN: I never alluded to the point of the suspension of licences as left out by accident. What happened was this—we were asked whether we would deal in a certain way with the Corporation of Dublin with regard to the suspension of licences, and I then said—

"The fact is that this Bill does not include the question of the suspension of licence in Ireland."

MR. H. H. FOWLER: I accept the assurance of the right hon. Gentleman; but I wish to point out that there is an absolute state of confusion and uncertainty with reference to the imposition of this tax in Ireland which affords legitimate ground for the protests of Members for Ireland, who are entitled to know how this tax is to be expended.

(6.45.) MR. LABOUCHERE (Northampton): I have been listening to the discussion with a perfectly unbiassed and unprejudiced mind, in order that I might know on which side I should vote. After having listened to this discussion up to the present moment I am of opinion that my hon. Friend the Member for Longford is entirely in the right, and that the right

hon. Gentleman the Chancellor of the Exchequer is entirely in the wrong. I really do not know who is responsible for business on that Bench. We are told that the First Lord of the Treasury is a good man of business; but I am sure I have never been present at such a muddle. We are asked to levy a tax, a portion of which is to be devoted to the compensation of publicans. I am entirely opposed to that. But what do we find with regard to Ireland? The tax is to be levied, but the publicans are not to be compensated. The Chancellor of the Exchequer denies that this money can be used for any other purpose. My right hon. Friend has pointed out to him that by the Bill, which is the only thing we have to go by, the money may be secured for Land Purchase in Ireland. The Chancellor of the Exchequer says, "No, it does not exactly mean that; it means something else. We are going to put this money in a bag, and keep it there, until we are able to pass a Bill for County Government in Ireland." Who knows what that County Government will be, or whether it will ever be passed? When leader of this House the noble Lord (Lord R. Churchill), at the commencement of this Parliament, said a County Government Bill was going to be passed for Ireland. That was four years ago. This measure of Local Government may not be passed at all, yet we are asked to agree to this money being put in a bag for a vague and indefinite period. The Irish have a right to protest against this, and I should be astonished if they did not. What are they met with? By a conspiracy of silence on the part of right hon. Gentlemen and hon. Gentlemen opposite. Hon. Gentlemen know that we beat them every day, every hour, every minute, in argument. They sit there stolidly, and the right hon. Gentleman the Chancellor of the Exchequer wants to pass everything by the mere brute force of those behind him.

(6.50.) MR. DILLON: I think I am justified in saying that the course which the discussion has taken to-night is the most extraordinary that has ever been witnessed. The Amendment raises issues of the gravest importance to the people of Ireland, as well as the general power of voting the taxes in this House, yet it is treated with the most absolute con-

*Mr. Labouchere*

tempt by the chief Ministers sitting opposite. It is apparent that Ministers and Members opposite are obeying the order of the *Times*, of which the Ministers are becoming mere salaried servants. The complaint the other day was that we did not talk enough on an Irish Bill, and hon. Gentlemen opposite, I am bound to say, displayed a very poor and despicable attempt at obstruction, although the intention to obstruct was there. If we do not talk we are trying to trick the Government. When we do talk we are obstructing the business of the country. When we did not talk at sufficient length the Governor of our country (the Chief Secretary) treated us to an inordinately long speech, manifestly for the obstruction of business, for he repeated himself over and over again. The measure under discussion the other day was only a small one, affecting only a small section of the Irish people. Ministers and their followers spoke at enormous and preposterous length on that occasion, and now when we bring forward a real, substantial, and important grievance, backed by unanswerable reasons why this tax should not apply to Ireland, we are met by a conspiracy of silence on that side of the House. Hon. Members and Ministers, acting under the orders of the *Times*, are relying, not on arguments at all, but simply on their majority. By the action of the Government we have one other illustration of the fact that Irish Members need expect no kind of justice or fair treatment at their hands.

(6.53.) SIR W. HARCOURT: I think my hon. Friend the Member for Mayo may take some consolation to himself in respect to the treatment of Irish questions by Her Majesty's Government. The precedent they set in taking the article in the *Times*, and the fact that the majority will not always be on that side, will apply to future Parliaments as well as the present Parliament. Every precedent they set of passing measures for Ireland by the violent use of the Closure, by refusing to listen to argument or discussion, and by laying the Bill on the Table, and saying, "This is the Bill of the Government; we have got the majority; we won't discuss it; we will pass it"—all that will be equally applicable when other measures come to be dealt with for Ireland. One of these

days it is possible there may be a majority in favour of Home Rule for Ireland, and all we shall have to do will be to imitate the example now set us. We will lay that Bill on the Table and say, "We do not think it worth while to discuss it." There may be some members of the loyal minority in Ireland who may raise some objection to a Bill of that character. All we have got to say is—"We are the majority; here is the Bill, take it or leave it; we do not want to discuss it, but to vote upon it, and dispose of it in a simple manner." That is the policy which is recommended; that is the policy which is acted upon. Let us know it, let us record it; it may be useful hereafter.

(6.55.) Mr. GOSCHEN: Unfortunately, Sir, history is not written in the speeches of the right hon. Gentleman, but in actual events. And the precedent which he quotes will be this, that the general subject has been debated day after day without making progress with one single line of the Bill. We thought plenty of time had been given to the discussion of the subject, which had been thrashed out, as I thought, over and over again. Again, we find that it is useless to argue with hon. Members opposite, because the only result is to open the way to a broader re-statement of the arguments originally advanced. I hope I have not been in the slightest degree discourteous to hon. Members in the brevity of my remarks, but it seemed to me that I had already dealt with the points raised. I endeavoured to dispose of them on the last occasion, and I know I did not succeed in convincing them, and I do not think after their treatment of my arguments then that any fresh arguments I might have used would have given them satisfaction. This is an Amendment upon one particular point of raising a duty to be applied to Ireland, but when the clause comes to be discussed as a whole I shall be prepared to justify the proposal. But I say we are justified on this Amendment in declining to re-open and re-discuss the whole question as to the general imposition of this tax.

\*(6.57.) Mr. FLYNN (Cork, N.): Sir, Members sitting here have waited in vain for the reply of the right hon. Gentleman to the arguments of my hon. and learned Friend. What is the fact,

he moves to omit Ireland from the operation of this clause. It is a perfectly unchallengeable proposition. The right hon. Gentleman seeks to impose an increased Spirit Duty, the proceeds of which in Ireland are to be expended by bodies which are not yet in existence. And we in Ireland are called unreasonable because we ask that Ireland should be excluded. We have made extraordinary concession to the noisy advocates on those Benches, that the Chancellor of the Exchequer might consider whether Corporations or authorised Municipalities may have this tax for the extinguishment of licences and other purposes. Nothing has been said about County Councils, and the extra duty is to be handed over to bodies which are non-representative, and only nominated by themselves. Such a proposition is utterly intolerable and utterly untenable. I think the hon. Member for Sunderland has raised the Constitutional question of how this tax is to be applied in a manner that cannot be mistaken. Of course, we shall be voted down, but we shall insist upon bringing these arguments forward in Committee, feeling there is no real or tangible reason for resisting them. Four weeks ago the Official Representative of Ireland in this House made the clear pronouncement that so soon as Ireland was in a normal condition she would get Local Government. Ireland is not now in a normal condition, and she is not likely to be. We have the Minister most closely connected with Ireland—and who, therefore, may be supposed to have a knowledge of the Governing Bodies in that country—saying we are not going to have these bodies. But you are handing over money to these bodies in England and Scotland, and we have a right to ask "What are you going to do in the case of Ireland, are you going to hand over the money to the Grand Juries?" We in Ireland have no confidence in those Local Authorities, and we predict that if this money be raised and handed over to them it will be simply jobbed away. It is absurd to suppose that they would use it for extinguishing licences, because they are the people who have granted the existing licences, and they have given them largely in excess of the demand. I think in this matter we require from the Government more than the crack of



the whip of the *Times* newspaper; we want a distinct and specific promise as to what is to be done with the money. What do they want it for; how will it be applied, supposing County Governing Bodies are not established for two, three, four, or five years? What is to prevent the right hon. Gentleman in two or three years time coming down and saying "We want this money for extra police," or "We want it to cope with the Plan of Campaign," or for some other purpose. So far as we are concerned we are bound to protect the interests of our constituents and to insist on the recognition of Constitutional principles, and, therefore, we protest against the action of the Government. I hope the Amendment will be pressed to a Division.

(7.5.) MR. ILLINGWORTH (Bradford, W.): I think hon. Members for Ireland have very substantial reasons for protesting against the proposals now before the House, and the Committee has a right to complain that the Chancellor of the Exchequer has not dealt with the Constitutional objections raised. We are supposed to be dealing with an even hand towards Ireland, but if a Bill had been introduced proposing to apply the taxation of Great Britain for local purposes without any definite scheme being put before Parliament, does anybody suppose that the Chancellor of the Exchequer would have been listened to for five minutes, no matter how substantial might have been his reasons for raising money in one year and tying it up for use on subsequent occasions? Surely the noble Lord the Member for Rossendale, who likes to adhere to safe Constitutional lines, will use his influence with the Chancellor of the Exchequer and the leader of the House to obtain some justification for this most dangerous innovation. I deny the right of the Chancellor of the Exchequer to limit the discussion. Irishmen have a right to object to the Government laying violent hands on their money, and they are entitled to object to the allocation of that money for the extinction of licences, because they have no security that in a reasonable time that money will be in their hands. I think the trifling, petty, and tinkering suggestion of the Chancellor of the Exchequer that the proposal will establish differences in the system

*Mr. Flynn*

of Customs between the two countries is no answer to the serious Constitutional objections raised. I do not think the Government can make any charge against the Opposition, and throw on them the stigma of obstruction, when the House has protested again and again against the novel and highly dangerous innovation contained in the Bill, an innovation which the Party opposite and sane Gentlemen on my own side would, in their better days, and in their right minds, have strenuously opposed.

(7.10.) MR. T. M. HEALY: The hon. Baronet the Member for Mid Armagh (Sir J. Corry) is in his place, and, as he was not here on Friday night, I would inform him that the Chief Secretary promised then to devote this money to the cities and towns in Ireland. The hon. Baronet has now heard the Government recede from that promise.

\*THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): No, no.

MR. T. M. HEALY: Then, where do we stand? I understood him to say that as we had introduced new difficulties his pledge fell to the ground. The matter cannot be left in this way, and I would remind the Government that it is a mistake to suppose that they can settle everything by the Closure. They have yet to get Section 7, to which I have already put down Amendments; and unless they give us some satisfactory assurance as to how this money is to be disposed of, they will see if their conspiracy of silence is calculated to make them get on more quickly. I would ask them to let us know whether they intend to insist on the section giving the same powers to the boroughs in Ireland as they have given in England and Scotland, or to drop it. The hon. Member for Mid Armagh himself endeavoured some time ago to initiate legislation for Belfast. It failed in consequence of some steps such as Conservative Members are always making, but I would ask if a pledge was not given to him that the provisions of this Bill would be extended in some way so as to meet his views? That is a plain question, and I think we ought to have a plain answer. We were pledged to certain of our friends in Ireland, who were in the licensing interest, to oppose that Bill, because it would compensate the publicans; and now we have a statement,

and, so far as the Irish publicans are concerned, there is to be no money compensation, because the money is to be given to the Irish landlords. This is a tax not to compensate the Irish publicans, but the Irish landlords. That, in my opinion, will entirely justify us even with the staunchest advocates of the licensing interest in Ireland. I think a plain issue is before the Committee.

MR. JUSTIN MCCARTHY (London-derry) rose to address the Committee.

Mr. CHANCELLOR of the EXCHEQUER rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

(7.15.) The Committee divided:—Ayes 212; Noes 150.—(Div. List, No. 91.)

Question put accordingly, "That those words be there inserted."

(7.30.) The Committee divided:—Ayes 148; Noes 211.—(Div. List, No. 92.)

(7.37.) MR. BLANE (Armagh, S.): I beg to move the omission of the word "gallons," and the insertion of the word "hogsheads." The object of this Amendment is not, as many Members on both sides of the House suppose, obstruction, but the equalisation of the duties chargeable to the various classes of the community. I find that 300 per cent. is charged as duty on the spirits consumed by the lower classes, whilst the Chancellor of the Exchequer is satisfied with a duty of 1d. or 2d. a bottle on the wine consumed by the higher classes. I think this is a monstrous state of things, and I propose this Amendment with the object of remedying it. To my mind, nothing would tend more in the direction of temperance than the abolition of the Spirit Duty altogether. The working classes do not consume spirits day by day, but merely when they are out for a spree. If the duties were reduced a working man would not regard it as so great a treat to have spirits which he could get at any time, and we know that prohibition of any kind increases the desire to obtain the article which is prohibited. I venture to say that there are as bad spirits made in Ireland as in any part of Germany, and that there are more inquests in Ireland on men who drink

Irish spirit than on men who drink German spirit. I believe that many of these inquests would not take place at all if the price of spirits came more within the means of the working classes.

Amendment proposed, in page 2, line 11, to leave out the word "gallons," and insert the word "hogsheads."

Question proposed, "That the word 'gallons' stand part of the Clause."

(7.43.) MR. GOSCHEN: I hope the Committee will recollect that 54 gallons go to the hogshead. Of course, you had better have no duty at all than have one which amounts to a 54th part of that which we now propose. It would make the tax absolutely worthless as a means of revenue.

(7.47.) SIR W. HARCOURT: I hope the hon. Member will not press this Amendment to a Division. It is an Amendment which I myself could not support. The next Amendment will very properly raise the question of the duties.

\*(7.48.) MR. FLYNN: I, too, hope my hon. Friend will not press his Amendment to a Division, because I think it would have the effect of bringing about the handicapping of native spirits. I must take issue with my hon. Friend as to there being bad Irish spirit. If there is any bad spirit sold in Ireland it is because the Irish spirit has been mixed with the German spirit.

(7.50.) COLONEL NOLAN (Galway, N.) I hope my hon. Friend will go to a Division. The right hon. Gentleman thinks it expedient to divide on a subsequent Amendment rather than upon this; but it must be borne in mind that we defeated a Government on this point. If the Irish Members attack this increase of Spirit Duty at every point, we are certainly acting consistently. In the first place, I object to this tax on whiskies because it is a piece of class legislation. Then I think it amounts to a question of a large nation attempting to bully and over-tax a small nation. If the Chancellor of the Exchequer takes a pint of claret with his dinner, and pays 1s. for it, he only contributes 1d. to the Revenue; but if an Irishman takes one shilling's worth of whisky he contributes 9d. to the Revenue. Why should an Irishman, after his hard day's work, contribute 9d. to the Chancellor of the

Exchequer's ld.? That is most unfair. It is better that whisky should be consumed than wine. Whisky distillation employs a certain number of men in Ireland and Scotland, while the making of wine employs Frenchmen or Germans, who could be employed in the Armies of their countries. Again, it is better, from the point of view of health, that whisky should be consumed rather than wine. Does anyone suppose that a fashionable West End doctor would recommend the drinking of wine before whisky? It is well-known that if a man cannot do without alcohol, whisky, with cold water, is the best form of alcohol he can take. I never could see the justice of taxing whisky, or any other spirit produced in this country, at a higher rate than wine or beer, and, therefore, I regard this as a most valuable Amendment. I do not know a more flagrant piece of class legislation than the extraordinary difference between the tax on alcohol in wine and that on alcohol in whisky, whether Scotch or Irish. I have always noticed that when the duty on whisky is increased the price per glass is not increased. The fact of the matter is, that the article is adulterated just in proportion as the duty is increased, and, judging from experience as the Chairman of a large Union, drunkenness is not diminished by any tax that is put upon spirits. There are certain respectable people in Ireland—people moderately well off—who have just as much right to drink a moderate portion of alcohol as the Chancellor of the Exchequer, and these people are prevented from taking a reasonable amount of good whisky by the extraordinary and extravagant duty. But the Chancellor of the Exchequer and the First Lord of the Treasury can revel in their pint bottles of claret, and, at the same time, contribute less to the Revenue. I trust my hon. Friend will press his Amendment to a Division.

(7.59.) MR. MOLLOY: I hope my hon. Friend will withdraw his Amendment, because I believe its effect would be to foster the use of German spirit, which is admittedly most injurious to health.

(8.0.) MR. BLANE: Notwithstanding all that my hon. Friends say, and despite what has been said from above the Gangway, this touches an old and recognised

*Colonel Nolan*

grievance. In 1715 the two great grievances of the rebels of that day were the Salt Tax and the Malt Tax; and now, 175 years after that date, the Malt Tax still remains. In these days we hear much about Free Trade; but in any representations against such tariffs as are imposed by the United States, we are met with counter statements about our duties on imported wines and spirits. Is this Free Trade? A nation that teaches the doctrine of Free Trade should apply it at home. It is impossible to say there is Free Trade, when, from the cargoes of foreign ships coming into our ports, barrel after barrel of goods is broken open in the search of spirits; and the boxes of passengers, even of British subjects, are ransacked, and even, I believe, the pockets of their overcoats are searched. If we claim to be a Free Trade nation, we should adopt the principle entirely, and not put into the mouth of Foreign Governments an argument against our own hypocrisy. This is the argument I met with in New York. Remember, too, the men who maintain this embargo on foreign spirits would establish it against fruit, and they resisted the repeal of the Customs Duty against foreign grain. As a humble Free Trader, I have done my duty in good faith; but as my hon. Friends do not see their way to go to a Division, I greatly regret that I must withdraw my Amendment.

Amendment, by leave, withdrawn.

(8.5.) DR. TANNER (Cork Co., Mid): Before the hon. Member (Mr. P. McDonald) proceeds with the next Amendment, I wish to introduce an Amendment and, in doing so, I would call attention to the fact that great injustice will be inflicted on a large section of the community if this tax is carried in the way proposed in the Bill. It is well-known that there are a great number of commodities used by chemists and druggists in this country in which spirit is used, and upon this subject I have had many communications from members of the trade, though not, as yet, very many from chemists and druggists in Ireland. These gentlemen who have written to me point out that which is well-known, namely, that many of a large number of medical substances known as tinctures and mixtures are

made up with the addition of proof spirit, and, therefore, if you are going to raise the price of these spirits you will certainly increase the price of the tinctures and mixtures. I have here a communication which I have received from a medical friend, who tells me that the effect of the addition of this proposed duty will be to raise the price of these substances by about 2d. per pound, and even now that increase is being made, the trade anticipating the increase which the Chancellor of the Exchequer is bringing in. Thus you inflict a great injustice.

THE CHAIRMAN: If the hon. Member will state his Amendment, perhaps we shall be able to appreciate the drift of his argument.

Dr. TANNER: Certainly, Sir. But, in the first place, I was going to talk about it, and then I was going to hand it in to you. The Amendment is Clause 4, line 15, after "spirits," to insert these words "Except spirits taken out of bond for *bonâ fide* medical purposes." I can assure the Committee I thought the matter out before I ventured to bring it under consideration, and I think the Committee will understand the point I am addressing myself to. If you look down the pages of the *British Pharmacopœia*, you will find a very long list containing the medical substances which I refer to. Now, I think that to raise the price of medical necessities is injudicious, if not worse. I tried to find a method of putting my proposition in a more sweeping way, to indicate to the Customs generally that when spirits are imported into this country for *bonâ fide* medical purposes, they should be fully relieved from the taxation upon spirits for ordinary consumption. However, in talking over the matter with a few friends, we saw the difficulties the Customs would meet with in letting such spirits pass; but I think, with the assistance of the Chancellor of the Exchequer, there should be no difficulty in devising the means by which compounders of medicines when they apply for proof spirit for the purposes of their trade, should be able to take it out of bond, and the character of these manufacturers for honesty, probity, and straightforwardness would be some guarantee against smuggling under cover of medical purposes; and, on conviction,

any such an offence should be severely punished. If the right hon. Gentleman will give consideration to this Amendment, I think he will agree with its object, and will agree that when proof spirit is imported by well-authenticated medical firms it might be allowed to pass through the Customs, paying only the duty heretofore imposed. I think the preparation of medicines should be made as cheap as possible. I cannot deprecate too strongly the very high prices again and again charged for all these medical substances in consequence of various causes, and I certainly hope the Government will try and help the stand that is being made against the increase of the price of such substances. It is purely as a medical subject I bring the matter forward, and I may claim to have some knowledge of it. I hope that we may have the assistance of the right hon. Gentleman in a matter most interesting to the medical profession.

Amendment proposed, in page 2, line 13, after the word "spirits," to insert the words, "except spirits taken out of bond for *bonâ fide* medical purposes."—(Dr. Tanner.)

Question proposed, "That those words be there inserted."

(8.12.) Mr. GOSCHEN: Whatever may be the theoretical expediency of introducing such an Amendment as the hon. Member proposes, I can assure him that it would be extremely difficult and practically impossible to carry it out. The Committee will observe that the proposal is not to relieve these commodities from the heavy duty which is imposed upon spirits, but only of this 6d. additional duty, which is comparatively a very small percentage. Now, we have the whole machinery for carrying out the duty, but not for making this exception. It will be observed also that if this proposal is carried out in the Customs, it must equally apply to the Excise.

Dr. TANNER: Certainly.

Mr. GOSCHEN: Yes; but there is a great difficulty in devising any machinery to carry it out. It is impossible for the Customs or the Excise to follow the transport of small quantities of spirits. It is suggested that any respectable manufacturer might enjoy such a privilege, and his name

would be a guarantee ; but such a course could not be worked out in law, and no distinction could be made between chemists and druggists and in any quantity which they might require for their own purposes. This proposal would lead to a great deal of complexity and difficulty, and possibly, in the case of some few people, it would lead to fraud. There is nothing more difficult, not only with regard to spirits required for chemists and druggists, but those required for perfumery and other purposes, than to prevent any illicit practices in connection with those trades. The officers of Excise have great experience of the difficulties to be met with in such cases; and whatever our desire might be to meet such a suggestion as that made by the hon. Member, we have no machinery to carry it out.

(8.17.) **MR. CHANCE** (Kilkenny, S.): I do not think there is much in the objection of the right hon. Gentleman. He says the additional 6d. is a very small percentage, but that might be said of the tax altogether. The object of the additional taxation is to provide the people with the means of getting rid of the excess of public houses. That may be a laudable object, though it seems to me the produce of the tax will find its way into the pockets of large brewers and distillers who own tied houses, but I should imagine there can be no objection to an Amendment which lays down a distinction between spirits used for medical purposes and spirits used as a luxury, or as drink. I admit there is a difficulty in following the transport of these spirits in small quantities, but would it not be possible to allow the exemption upon spirits which are used in bond for these medical preparations? Or is it possible in some way to adopt the procedure applied to methylated spirits? Compounding in bond would be an advantage, inasmuch as it would tend to throw the trade into the hands of substantial and respectable firms who alone could provide for the use of bonded warehouses, and this would be a guarantee against the adulteration too often practised in the poorest class of trade.

(8.19.) **MR. STOREY**: I would rather support a Motion for increasing the tax on medicines, than an Amendment for a reduction. I think the dearer we make medicines the greater

advantage it will be to the country. I see perfectly well the difficulties the Chancellor of the Exchequer would have to encounter in carrying out such a proposal as that suggested by the hon. Member, and if a Division is taken I must support the Government.

(8.20.) **COLONEL NOLAN**: I congratulate my hon. Friend on the exuberance of health that induces him to advocate an advance in the price of medicines; but, unfortunately, there are those who are obliged to take medicines, and among the poorer classes price is a serious consideration. It must be admitted that the imposition of high duties on spirits must lead to illicit distillation and smuggling, and this applies to use of spirit in trades, or in preparation of medicines. There is no attempt at smuggling wine, because the duty is moderate. In relation to workhouses and dispensaries this addition to the tax will make a very considerable difference, the medical bill being a considerable item in the poor rates. From this point of view teetotalers will be interested, for they pay these equally with the consumers of alcoholic liquors. I think the Chancellor of the Exchequer might find some means of allowing a rebate by which this additional tax may not be made to fall upon workhouses, hospitals, and dispensaries, and the sick poor. Surely a distinction can be made just as it is made on the use of spirit in the industrial arts.

(8.25.) **DR. TANNER**: This is really an important point, and I should like to secure attention to it. The proposition for the additional tax is supported by the argument that it is to provide for the existing drink evil a cure, but in this those who use spirits in medicines are in no way concerned. I have brought this Amendment forward with the best intentions, and the right hon. Gentleman is mistaken in calling it a theoretical point; I support it from a purely practical point of view. There are, at the present time, certain classes of manufacturers who are exempted from this tax. For instance, hat manufacturers are permitted, under stringent restrictions, to buy, minus the duty, at the actual commercial price of spirits. Surely, what is allowed in the case of hat manufacturers might be allowed in this case. Instead of raising

*Mr. Goschen*

a theoretical or obstructive point I contend I have really raised a point my opinions as to which will be endorsed by nine-tenths of the member of my profession throughout Great Britain. I had hoped that the Government would have given some assurance that steps will be taken to lower the price of the medicines affected by this tax. I am extremely sorry to have to say I think the Chancellor of the Exchequer has met my proposal in an unworthy spirit. I am only doing my duty to the poor; because the House should bear in mind that when a small addition is made to a tax it will not affect the large manufacturers so much as it will affect the smaller manufacturers, and it will certainly affect the poor, because whenever any addition is made to the taxes relating to medicines of this class the dealers often raise the prices, so that in this way the poorer classes really suffer from this kind of legislation. The right hon. Gentleman said that this would affect the Excise as well as the Customs; but even if it does, that would only be a small matter. I think the proposal, if accepted, will do a great deal to relieve the wants and necessities of the poor, and I am sorry the Government have not seen their way to accept it. I shall certainly press the matter to a Division.

(8.33.) MR. J. O'CONNOR: I am, of course, against the raising of the duty on spirits, and I should be glad to be able to support my hon. Friend in his Amendment if I possibly could. As to what my hon. Friend has said about these medicines being compounded in bond, I think there is some difficulty in that. My hon. Friend must have had in his mind the fact that by law it is enacted that whiskies in Ireland that are blended for the purpose of exportation shall be blended in bond and marked with the letter "B." But it must not be omitted from the consideration of this subject that that portion of the question deals with large quantities of spirits, while this portion of the question raised by my hon. Friend deals with a comparatively small portion of these commodities. What I am afraid of is that a great amount of injury might be inflicted on many persons by this Amendment. The Member for Kilkenny

has said it would have the effect of concentrating the trade in these medicines in the hands of large manufacturers, and I ask the Committee whether that is a desirable thing to have in view or not. I should like to have some explanation on that point from my hon. Friend, because I, for one, shall always oppose any legislation that has for its object the placing and concentrating in the hands of large manufacturers any important branch of trade whatever. I know, for a fact, that many chemists throughout the country are obliged to hold in stock small quantities of spirits that are many degrees over proof—spirits of wine, for instance. Well, we must do one of two things in this matter. We must either compel all medicines to be compounded in bond, or we must prohibit these small people from holding any strong spirits on their hands in stock. We must assuredly do one of these two things, and let us take care that, while we have a supreme desire to benefit the poor, we do not inflict a great injury upon a large number of traders in the country, who dispense very wholesome drugs to the poor, and who are, therefore, beneficial to the poor. Are we going to drop these small traders who are in contact with the poor, and who do their best for the poor? These objections would trouble my mind if I were to vote for the Amendment. If my hon. Friend can remove these objections I shall certainly be most happy to support the proposal. But if there is to be an increase of duty on spirits let it be an increase all round. I believe we should create a greater evil if the Amendment were carried than the one sought to be remedied by its adoption. I trust that my hon. Friend will be able to remove the objections to which I have called attention. (8.45.)

(9.9.) DR. TANNER: Sir, I moved this Amendment in the interest of the poorer classes of Ireland; but, inasmuch as the Chancellor of the Exchequer does not intend to give ear to it, I shall not press the matter any further, though I shall certainly go to a Division.

(9.13.) The Committee divided:—Ayes 73; Noes 127.—(Div. List, No. 93.)

\*(9.20.) DR. CAMERON (Glasgow, College): I propose to move the rejection of this clause, because it constitutes

the first stone in the erection of the Government Local Budget; and, so far as Scotland is concerned, her protest may be best made by moving the rejection of this clause. The right hon. Gentleman, by this clause, proposes a Customs Duty on foreign spirits, but that is only a part of the scheme to levy a Local Budget Duty on spirits and beer, to be distributed between the three countries. I protested, on the introduction of the Chancellor's scheme, against the proposal of a tax of 6d. a gallon on spirits and whisky, and an extra 3d. a barrel on beer. I did so on the ground that that was most unequal and inequitable on the respective liquors of Scotland and Ireland and England, greatly to the advantage of England, and that it was an injustice done to Scotland and Ireland, aggravated by the circumstance that it was proposed that the whole fund thus raised should be one fund devoted to local purposes amongst all countries. I am quite aware that the right hon. Gentlemen will attach no importance to anything I can say in the way of argument, but I think I can adduce to him the statements and arguments of an authority he will accept. He will not, for instance, altogether throw overboard the President of the Board of Trade, who, in 1885, took the lead in resisting a similar proposal when made by the right hon. Gentleman the Member for South Edinburgh. The President of the Board of Trade argued that the original proposal of the right hon. Gentleman was bad enough. That was to put 2s. a gallon tax on whisky. But he said that if the proposed tax were reduced to 1s., the result would be even worse; that it would be impossible for the dealer to raise the price of the commodity, and that the tax would lead to the deterioration or unwholesomeness of the article. Again, the President of the Board of Trade said if a man wanted to buy a higher class of article made from the best malt he would find it adulterated either with very inferior sherry or with spirits made from rice. Such was the argument of the right hon. Gentleman the present President of the Board of Trade, and in stating the case for Scotland, I will do it in the words of a supporter of the existing Government, the Member for Dumbartonshire, who, in a Debate which took place in 1885,

*Dr. Cameron*

said he had intended to move an Amendment, but had omitted to put it on the Paper. The effect of that Amendment was that the proposed increase of 2s. per gallon in the duty on spirits was unjust and inequitable to Scotland and Ireland, and that no increased duty should be placed on spirits until wine, beer, ale, and porter, were charged an equal duty; and, further, that considering 1,711 stills had been detected during the previous two years, it was inexpedient to make any increase in the duty charged on spirits. The hon. Member who should have moved this Amendment, went on to show that the high duty on spirits was of comparatively modern origin, and added that, while no one would dare to propose that Scotland and Ireland should pay double the Income Tax paid by England, the then duty on spirits made Scotland pay, for the alcohol there consumed, an amount larger than double the Income Tax she paid in 1883. This is not my argument, but one put forward by one of the right hon. Gentleman's most devoted supporters, who showed that it was not until 1860 that the Whisky Duty reached its present high figure. The hon. Baronet also said "he knew the increased duty was supported by teetotalers and others, on moral grounds, but, in his belief, there were no higher principles of morality than truth and justice, while there was no lower form of morality than cant and hypocrisy in defence of injustice; and he held that anyone, acquainted with the facts, who yet supported these duties on alcoholic drinks on the ground of morality, shut out all sense of justice from his mind." For my part I should hardly like to use language such as that, but I have no hesitation in calling the right hon. Gentleman's attention to the language of one of his supporters, in order to show the deteriorating influence it must have on, at least, that Member of his Party if he persists in the suicidal course on which he has embarked. My objection to the right hon. Gentleman's proposal is vastly intensified since the figures in its defence have been before the House, for anything more destructive of his argument it is hardly possible to conceive. The Secretary to the Treasury told us that when the Probate Duty was allocated by the Chancellor of the Exche-

quer he had to determine the respective shares to be allocated to the three countries, and he had decided that the true principle was not to take the amount of Probate Duty paid by each, but to take the total contribution of each country to the Imperial Taxation. But the Chancellor of the Exchequer has not done this; for he has allocated the License Duties to the different countries on the amounts raised in each, and he also proposed to deal with the Wheel Tax not in regard to the common fund, but to allocate the money to the countries according to the amounts raised in those countries. And now he proposes to raise a sum of money which would be, roughly, what would have been raised by the Wheel Tax for local purposes in England. And how does he propose to do it? We were told the other night that we were too well off. We were told that the percentage of contributions paid were 82·6 by England, 10·5 by Scotland, and 6·9 by Ireland, and that England received less than she paid, whilst Scotland received £18,846 more than she, and Ireland £57,000 more than she paid. He proposes to remedy that so far as Scotland is concerned by making her pay £76,000 more than she receives. The inference to be drawn from this proposal is too obvious to need re-enforcement—that I only trust that the people of Scotland will derive a correct impression from the figures. None will more readily appreciate their injustice. The right hon. Gentleman the Chancellor of the Exchequer will reply “You take simply the Spirit Duty,” but I do that because it is the only new duty proposed to be raised. No extra duty on beer is proposed in the Bill before the House, and this £76,000 on spirits is to be raised in order that it may be sent into England and applied to a purpose of which we do not approve. A Return presented to the House in the course of last week shows that England contributes £177,000 more than she receives of the Probate Duty, and Scotland is £69,600 less. I would beg the House to look for a moment at the principle on which the grant was allocated. The Chancellor of the Exchequer said that instead of giving grants in aid, which only led to extravagance, half the Probate Duty would be given to the Local Authorities, who, by being

left to make the best of it, would be stimulated to economy. At the time that grant was made Scotland received £234,000, and, according to the Secretary to the Treasury, she ought to have received, on strict principles of justice, £11,000 less. But the Chancellor of the Exchequer, wishing to be generous, gave 11 per cent. instead of 10½ per cent. to which she was entitled. The Chancellor of the Exchequer now comes down and says that the Probate Duty in England has increased, and Scotland will receive an undue benefit. That shows the vice of the whole system of this allotment by the Exchequer. If a fixed sum had been given out of the Consolidated Fund, instead of a share of the Probate Duty, that would have remained stationary, and there would have been no dislocation in the equity of the arrangement. If the Chancellor of the Exchequer is to make any calculations he should base them on the £234,000 intended to be granted to Scotland, and not on the £264,000 which he estimates will be given to Scotland in the next year. That would leave a continued benefit to the extent of only £39,000, instead of £69,000. Now he proposes to impose a tax upon Scotland by which she will have to pay £76,000 more than she receives.

MR. GOSCHEN : I don't find the £76,000 on the Return.

\*DR. CAMERON : No, the right hon. Gentleman does not find that, but he will find the materials for arriving at it. He has carefully concealed the £76,000. I will tell him how he can find it. If he will look at the amount of the Spirit Duty on page 5 he will find the amount that England, Scotland, and Ireland get on the basis of 80 per cent., 11 per cent. and 9 per cent., and he will find what they pay by omitting in Table 2 the item beer, and adding together the contribution from British spirits and foreign spirits. In this way he will find that Scotland will have to pay £76,000 more than she receives. I contend, also, that the assumption of the Chancellor of the Exchequer that the larger consumption of foreign spirits in England equalises the tax is erroneous, and I would point out that it is shown in a Return that the quantities of foreign spirits consumed in the three King-



doms contradicted his assertion. The percentage of Scotland is 10·7, almost exactly the proportion proposed to be returned to the country. The amount of the tax on a gallon of proof spirit contained in beer is only 1s. 8d., and on whisky it is 10s. The right hon. Gentleman says that beer sustains a man—that it is a food. Well, in Scotland there is a superstition that whisky sustains a man. I have noticed, however, that when a man takes too much beer, or too much whisky, so far from its sustaining him he has generally difficulty in sustaining himself. But the right hon. Gentleman says beer is food, and that, therefore, it should not be taxed in the same way as spirits, whilst alcohol is simply an intoxicant, which should be taxed to any extent. Well, I do not object to the right hon. Gentleman taxing alcohol to any extent he likes, compatible with the prevention of illicit distillation. I do not object to his taxing it for local purposes, provided he gives the proceeds of the tax to local purposes. But I certainly do object very strongly to his imposing an extra tax of 1d. a gallon on the alcohol in beer in England, while he imposes an extra 6d. a gallon on the alcohol in whisky in Scotland, and then dividing the proceeds equally between the two countries. It is grossly unfair to do this, and lump together all the proceeds for the purpose of buying up licences, superannuating police, and mitigating rates, both in England and Scotland. When are we to have finality in this matter? Because the receipts from the Probate Duty have somewhat differed from the expectations of the right hon. Gentleman, he now proposes a new tax. The right hon. Gentleman thinks no one can get fat on whisky. I would remind him, however, that the fattest Member who ever sat in this House, in my recollection, was a man who eschewed beer as a poison, and who was celebrated for his strict adherence to whisky, and could carry a large amount of it. To my mind, the alcohol in beer and the alcohol in whisky have precisely the same effects. They may stimulate the nutritive functions to a certain extent; and, in the case of some persons, each of them may produce fatness, and in the case of others each may lead to leanness. Well, supposing whisky comes to be adopted in

*Dr. Cameron*

England as an anti-fat stimulant, in accordance with the right hon. Gentleman's notions, and it appears that, on the allocation, Scotland is getting more than her contribution out of the new fund, is the right hon. Gentleman again coming to Scotland to tax bag-pipes, haggises, kilts, and oatmeal? If the right hon. Gentleman had proposed to give each country the proceeds of its own tax on alcohol I should have been quite content. I beg to move the Amendment which stands in my name.

Amendment proposed, on page 2, to leave out Clause 4.—(*Dr. Cameron.*)

Question proposed, "That Clause 4 stand part of the Bill."

(9.50.) **SIR G. CAMPBELL** (Kirkcaldy, &c.): I entirely agree with the arguments of my hon. Friend. I am quite agreeable that the tax on whisky should be made as high as it possibly can be without producing smuggling, but I do object to the gross injustice of taxing the whisky in Scotland when you do not give an equivalent tax to England. My hon. Friend has said, with perfect truth, that there is not a word about imposing a duty on beer in the Bill before the House. Last year it was discovered that the basis on which the tax on beer was imposed was not a fair basis, and did not entirely fulfil the original object with which the tax was imposed. It was, therefore, necessary to make some slight variation in regard to the strength. The tax was not imposed for any special purpose, but for general financial considerations, and it, therefore, cannot be brought into comparison with the tax which it is now sought to place on whisky for the special purpose of local taxation. It is altogether misleading to ear-mark a particular tax in the way proposed. The arrangement suggested is of the most inequitable character. The tax on the alcohol in beer will amount to about one-sixth of the tax on alcohol in whisky. The Chancellor of the Exchequer justifies this on the ground that beer is, to a certain extent, food. Well, Sir, in Scotland we combine the consumption of whisky with the consumption of food. We used to hear a great deal about a concoction called *Athol-brose*, a mixture of whisky, oatmeal, and milk. Does the right hon. Gentleman say that the whisky in brose ought

to be taxed at six times the amount at which beer is taxed? This is a case in which the Chancellor of the Exchequer has not dared to face the great brewing interests of England. These interests are very powerful in this country, and he dared not face them. I shall have very great pleasure in supporting my hon. Friend's Amendment.

(10.0.) MR. T. M. HEALY: I do not know whether I ought to move to report Progress; but the Chancellor of the Exchequer does not seem inclined to reply to the arguments which have been used.

MR. GOSCHEN: The Amendment has not been put from the Chair.

MR. T. M. HEALY: Then the Chairman was wrong in calling on me. I venture to differ altogether from the right hon. Gentleman, because to suppose that the clause was to be put from the Chair is to suppose a very unusual thing. I understand the clause was put in the usual way; but the right hon. Gentleman has been so anxious for Progress that he has forgotten the promise he made to us earlier in the evening.

(10.2.) MR. GOSCHEN: I am surprised at the observations of the hon. Member; I was waiting to have the opportunity of hearing other Members who might get up before I made my reply. One of the main points put by the two hon. Members who have just spoken is that the Beer Duty is an old duty which is re-imposed this year. That may technically be so; but when the hon. Member for Kirkcaldy (Sir G. Campbell) says that I am frightened of the brewing interests, I must point out that a more ridiculous statement was never made in the House. I should have thought that to fight the whole of Scotland was a much more difficult matter than to fight the brewers of England. The hon. Member may not have read the declarations I made last year with regard to the Beer Duty. I stated that the remission of the extra 3d. should be taken into consideration side by side with any general reduction in the tax. When I proposed the increase in the duties on spirits I felt that an increase of 3d. should be levied on beer, and it is certain that the proceeds of the 3d. will be devoted to local purposes in Scotland, Ireland, and England. The hon. Member does not deny that?

SIR G. CAMPBELL: I do deny it.

MR. GOSCHEN: Well, considering that the whole plan is that the proceeds should be distributed among the three countries, I do not understand his denial. The hon. Member for Glasgow (Dr. Cameron) charged me with having imposed this duty in order to rectify an increase which has taken place. I would point out to him that the Probate Duty is levied in much larger proportions in England than in Scotland or Ireland. Would the hon. Member be prepared to have each of the three duties distributed in the proportions in which they are collected in the three countries? I think he would make a bad bargain for Scotland if he adopted the suggestion. I turn to the general question of the imposition of this duty. If hon. Members will read up the history of the Spirit Duties they will see that the right hon. Gentleman the Member for Mid Lothian has repeatedly laid down the proposition that the taxation of spirits stands on a different footing from the taxation of beer or any other article. The right hon. Gentleman has expressed the opinion that spirits should be taxed as highly as possible short of producing illicit distillation. The hon. Member for Glasgow has contended that the tax ought not to be put on whisky as compared with beer, and it is in reply to that portion of his argument that I think I am fairly justified in quoting the opinions of the right hon. Gentleman the Member for Mid Lothian. I am prepared to contend that we are entitled to increase the duty upon spirits. Hon. Members have spoken as if the whole increase is intended for the purpose of buying up licences. But there are many other purposes served by this increase of duty, amongst others being the additional endowment of national teachers in Ireland, amounting to £77,000. I shall be perfectly prepared to argue with hon. Members from Scotland or Ireland as to how far this particular duty ought to be allocated for local purposes; but this clause simply imposes a duty on foreign spirits, and I think that the hon. Member for Glasgow can scarcely contend that that duty weighs with any unfairness upon Scotland.

(10.15.) COLONEL NOLAN: The First Lord of the Treasury and the President of the Board of Trade have run away. The Secretary to the Treasury (Mr.

Jackson) is obliged to stay to assist the Chancellor of the Exchequer, but he really must be ashamed of himself on the present occasion. The hon. Gentleman assisted us in turning out the Liberal Government on this very question. I acknowledge the Chancellor of the Exchequer comes to this question unspotted and unstained. He voted for the taxation of spirits in 1885, but the whole of the Conservative Party demanded the importation. They said it was a crying iniquity to tax spirits and beer unless wine was also taxed. They went to the country on the question, but now that the election is over they evidently think this a nice time to increase the tax on whisky. It is rather amusing to read what was said by prominent Members of the Conservative Party at that time. The President of the Board of Trade (Sir Michael Hicks Beach) proposed—

“That this House regards the increase proposed by this Bill on the duties levied on beer and spirits as inequitable in the absence of a corresponding addition to the duties on wine.”

The Liberal Budget was unfair to the whole country, because it proposed to increase the tax on beer as well as spirits, but this Budget proposes to increase the duty on spirits only, which, I contend, is most inequitable and unfair to Ireland. The Chancellor of the Exchequer argues that Ireland gets more than her share through the Probate Duty grant, but he himself picked out the Probate Duty; if he had fixed upon the Succession Duty Ireland would have stood in a far more favourable position. Under the proposed arrangement our country will pay more than she receives. It has been pointed out that the right hon. Gentleman the Member for Mid Lothian raised the tax on whisky. That is the only blot on the right hon. Gentleman's name; but still Mr. Disraeli raised the tax on Irish whisky; indeed, every English Government since 1814 has raised the tax on such spirit. Possibly you may, by these increases, force the people to drink beer instead of whisky, but then you will force them into the poorhouses, because they will be unable to work. I consider the proposal a most unfair one. As I have said, the Chancellor of the Exchequer has been consistent, but what has the First Lord of the Treasury to say in defence of this increase,

*Colonel Nolan*

considering that he voted against the increase in 1885?

(10.18.) MR. T. M. HEALY: I should like to be permitted to read a few extracts from the speeches of leading Members of the Conservative Party, when, in 1885, they denounced as immoral and tyrannical the imposition of this tax by the Liberal Party. I am glad to see the First Lord of the Admiralty (Lord G. Hamilton) in his place, because he was one of the chief opponents, in 1885, of this immoral Whisky Tax. [Lord G. HAMILTON: Oh!] Oh, yes; *Hansard* never lies. The noble Lord was most eloquent in his denunciation of this tax, and so was the President of the Board of Trade (Sir M. Hicks Beach) not five years ago, and yet the Conservative Party have managed in that time to forswear every opinion they held on this question. The President of the Board of Trade, speaking on the 8th of June, 1885, was not only most eloquent upon the subject of the increase of the Spirit Duty, but Mr. Courtney, he wept, I may say, alcoholic tears at the very idea that there would be adulteration of the drink of the poor man. He was afraid of illicit distillation, but, above all, he was afraid of the addition of the murderous German potatoe spirit to the drink of the working classes. The right hon. Gentleman showed that the whisky production of Ireland and Scotland was the chief article of commerce in those countries, and he wept over the fact that the whiskey trade was already decaying. He added—

“The Government have selected for increased taxation two important British and Irish trades, already heavily taxed, and by no means so prosperous as they were formerly, and have added insult to injury, because at the very same moment when they impose this increased taxation on these trades, they are proffering a boon to the foreign producer of the very article—namely the strongest class of wine—which principally competes with these home industries.”

A moment or two afterwards the First Lord of the Admiralty jumped up and said—

“Lord Beaconsfield once observed that the Radical Party were friends of every country in the world but their own.”

The noble Lord attacked Sir Charles Dilke, and said—

“The great mass of the Radical Clubs who supported the right hon. Baronet had beer and spirit licences: and to support pothouse

politicians out of doors and denounce them in the House of Commons was nothing but clap-trap."

Then he said—

"Of course, any taxation was unpopular; still, it was remarkable that whenever it was proposed to tax any home produce, the Radical Party were dumb; but when it was proposed to tax an article of foreign produce they raised every possible objection."

I wonder who are the dumb now. To turn back to the President of the Board of Trade, let me say that what troubled his mind most was the introduction of terribly poisonous spirit into the beverage of the poor man. This fear caused him to assist in turning out a Government that was carrying out the law in Ireland with energy and vigour, which I understand to be the great credit of hon. Gentlemen opposite. You forget every question when Ireland comes up. No matter what blunders are committed by other Members of the Government, the one Member who shines out above all others is the Chief Secretary, and the people are asked to support him as the true man, even though all the others have proved faithless. But in 1885 the President of the Board of Trade had great concern for the consumer of spirits. He said—

"I fear that the consumer of spirits will be too often maddened by raw spirits sold to him by persons who will not be able, owing to the increased taxation, to bear the necessary expense of mellowing their spirits by keeping them in bond."

You are a great Party. You talked like this in 1885; but now, in order to establish and endow the bung—the publican—you swallow all your former speeches. I will not go through the speeches of some Members of the rank and file of the Party opposite. There was Mr. Orr Ewing, who, I believe, was a most respectable Scotch Member. He grew furious at the proposed taxation of the beverage produced on his native heath; and then there were the Allsopps, who are here by the score, and who will support you in the Lobby in a few minutes, never thinking that there ever was such a year as 1885. But now I come to the Excise section. The right hon. Gentleman the Chancellor of the Exchequer has denounced the German spirit. We all know he has a close acquaintance with German spirit. Is there any intention of carrying out these

suggestions made by the right hon. Gentleman opposite in the memorable year 1885? Radicals, we know, are friends of every country but their own; but I am sure the Chancellor of the Exchequer is not ready to sacrifice the produce of this United Kingdom in the interest of Germany. I believe a lot of this German spirit is, or was, made by Prince Bismarck; but he is no longer in Office, and, therefore, this cannot influence the present Government. The Germans can send spirits into this country, at the price of 9d. a gallon, and though this stuff, as a friend of mine said, is only fit for lighting lamps, this same spirit is blended with Scotch and Irish whisky under the very nose of the Chancellor of the Exchequer, and the mixture is sent through the country to deceive consumers into the belief that it is Scotch or Irish whisky. It is no more entitled to the name of whisky than to be called beer or champagne. I denounce this practice which allows this poisonous compound to be sold at 15s. to 17s. a gallon. Now, the Chancellor of the Exchequer is no friend to German spirit. Why does he not do justice to native spirit, and put an extra tax on this foreign spirit, and provide that it shall be illegal to sell it under the name of whisky? He might punish an evasion of such a law, as the Treasury dropped upon the gentlemen who attempted to concoct sparkling wines in bond. No; the right hon. Gentleman would do nothing of the sort when the suggestion was made. He suggests, when we raise a point, that we shall let it stand over for the next clause, and when the next clause is reached we are told the opportunity is passed. Now, I think the time to discuss this question of this German spirit is on the German Clause; and I ask the right hon. Gentleman what he intends to do? Are we to continue to pay 10s. 6d. duty whether we get Irish whisky or German spirit? Has the right hon. Gentleman no regard for the consumer or the interests of law and order? Yes; I assert that this vile, adulterated concoction is a cause of much violent crime and disorder—this spirit at 9d. a gallon, similar to that which is known in India, I believe, as "fixed bayonets"—but there it is supposed to be arrack. This poison should never be allowed to be sold as

whisky. I make a suggestion that will greatly ease the situation so far as Ireland and Scotland are concerned. The original meaning of whisky was a spirit from a pot still of three or four runnings, and made from malt or barley; but this foreign spirit is made from potatoes or from wood, treated with sulphuric acid. But in this clause the nomenclature is most unfair. "Spirit" only is mentioned, as if the Excise and Customs know no distinction, and regard all alike from an Excise point of view; and if 10s. 6d. a gallon can be collected it does not matter what the consumer gets. You have enormous distillers in the three Kingdoms. Is it fair to these traders to allow this free admixture of this 9d. spirit under the eyes of the Excise? I submit this stuff ought to be stopped at the ports and branded as poison or something of the kind, for it is no more fit for human consumption than so much oil of vitriol. Yet the Government absolutely encourage the importation, and when it is sent out again to exercise its civilising influence in Africa or South America they allow a drawback upon it. The whole question is treated from a purely fiscal and Chancellor's point of view, and no attempt is made to prevent the consumer being deceived. When we hear of these murders in England, of a character to make an Irishman's hair stand on end; when we hear of Englishmen kicking their wives to death; when we hear of the murders here in proportion of four to one in Ireland, we can, to a large extent, trace these things as the result of the maddening effect of this German spirit, the trade in which the Customs and Excise arrangements encourage. It is time our manufacturers lifted their voices in emphatic protest against this system by which the trade in this spirit made from potatoes, wood, or rags is given the Government stamp of respectability.

\*(10.45.) Mr CHILDERS (Edinburgh, S.): When, five years ago, I received such a denunciation from the present President of the Board of Trade because I proposed an increase in the Spirit Duties, I little thought the Nemesis would come so soon, or that it would come through the action of one of his Colleagues, a right hon. Friend of mine who supported me in 1885; and is therefore, perhaps, more en-

*Mr. T. M. Healy*

titled to take this course now. I do not think right hon. Gentlemen will easily forget those Debates of 1885; at all events, they have not been allowed to forget them to-night. Two distinct questions arise on this clause; there is the question which has been well argued by the hon. and learned Member who has just sat down as to how German and other raw spirit should be allowed to go into consumption, and the other question is in reference to the allocation of the amount raised. Upon the first question I will only say that I think the time has come when it might be dealt with, I mean what restrictions as to its age should be placed on spirit containing much fusil oil. When I was at the Exchequer I had the matter before me, but at that time it was a new question, and the Revenue officers were tolerably strong in the opinion that not much could be done; but I have reason to believe that now that opinion is much altered. I gather from the nod of the Chancellor of the Exchequer that he agrees with me, and that it is a question that must be dealt with ere long. Whether it would be better to prohibit the sale of spirits within a certain time of distillation, and whether there should be special treatment for imported spirits, I do not profess to judge; but I am quite sure the question is one that will have to be dealt with, and I hope before this discussion is over we shall have a word or two from the Government upon it. The branch of the question that was so well put by the Member for Glasgow is whether we should allow this clause to pass having regard to its sole object, which is the allocation of the money between the different parts of the United Kingdom. Looking at the figures, I come to the conclusion that the distribution proposed by the Government is not fair. It is said that we have to deal both with spirits and beer. I deny altogether that it is fair to consider beer—first, because the Beer Duty was settled in a previous Session; and, secondly, because there are really no reliable statistics as to the consumption of beer. We have reliable statistics as to the consumption of spirits, because spirits cannot be removed from one part of the United Kingdom to another, except under a permit; but no permit is necessary for the removal of beer, and

the result is that the quantity of beer transferred from one country to another is estimated, as we are told, in a note to the Return, solely from information supplied by a few leading firms. Now, I entirely dispute the propriety of Parliament founding such an important division of revenue on such information. It is only right that the allocation, as far as beer is concerned, should be based on something more exact. The actual percentages of spirits consumed in the three countries are 67 per cent. for England, 19 per cent. for Scotland, and 14 per cent. for Ireland. If beer is also included, as I trust it cannot be, the percentages are 73, 15, and 12 respectively. It is proposed, however, to give 80 per cent. to England, 11 per cent. to Scotland, and only 9 per cent. to Ireland. I maintain on the face of these figures, compiled from official statements, that this is an unfair provision, and I hope the Committee will reject the proposal of the Government.

(10.55.) MR. GOSCHEN: The right hon. Gentleman has certainly effected a great change in his opinions now that he has become a Scotch Member from those he held when he was Chancellor of the Exchequer. He now proposes on this question of the Spirit Duties to make the division on a principle that will give the advantage to Scotland and Ireland as against England. The Probate Duty was distributed according to the proportion in which the three countries were supposed to contribute towards it, and that is the principle which is adopted in the present case. The right hon. Gentleman proposes that one principle should be applied when it is favourable to Scotland and Ireland, and another when it is adverse to those countries. England has lost by the Probate Duty, and gained something by the Spirit Duty; but the loss on the Probate Duty is greater than the gain on the Spirit Duty. I am willing to accept either the one or the other principle, but it is preposterous to apply the one principle in the one case and another principle in an analogous case.

\*MR. CHILDERS: It is not a question of collection but of consumption, which is a totally different thing.

MR. GOSCHEN: It is not a question of consumption or collection; it is the point of view of who bears the taxation, and in reference to the Spirit Duty the right hon. Gentleman would adopt a totally different principle.

\*MR. CHILDERS: I quite concur as to spirits, for which we have accurate statistics, but we have none for the Probate Duty, and I accepted the settlement of 1888 as a fair estimate.

MR. GOSCHEN: The Probate Duty was distributed according to the proportion the different countries were estimated to contribute to Imperial Taxation, and that is the principle now adopted. The question of foreign spirit is scarcely germane to this particular Amendment. I have, however, stated that the question of retaining spirits in bond and the question of German spirit are under consideration. I will consider whether it should be examined, not only from an Excise and Customs point of view, but also from a medical and scientific point of view. I propose that the German spirits should be examined in order to ascertain whether there is any truth in the statement that they contain deleterious substances; but this is a matter that is scarcely germane to the clause.

(11.0.) SIR W. HARCOURT: I do not propose to go into the question of whether justice is given to Scotland and Ireland by the division of the Probate Duty. It is quite enough to refer to the fact that in 1885 all the Members on the Ministerial Bench, except the Chancellor of the Exchequer, were strongly against the policy which they now support. It appears to me that in order to meet the arguments as to the injustice done to England and Scotland, the Chancellor of the Exchequer has been obliged to fall back upon the Probate Duty of last year, and to put that forward as redressing the inequality of which he does not deny the existence. It is really the fact that the Budget can be defended only by going back upon the Probate Duty of last year. I shall vote against the clause, but not because I object on general principle to raising the Spirit Duty. As far as I am concerned, I am very sorry that the Amendment for reducing the amount of the Spirit Duty, which stands upon the Paper, by some

accident was not moved. It was quite intended the reduction should have been moved, because what would have been left of the Spirit Duty would have been quite sufficient for all the purposes contemplated by the Government other than compensation for public house licences. I hope that the question may be raised in that form upon the Excise Clause. Taking this clause as a whole, I regard it as having for its main object to obtain the money with which to pay compensation to brewers for licences, and therefore I shall have no hesitation in voting against it.

(11.3.) COLONEL NOLAN: I should like to point out that we in Ireland did not accept the distribution of the Probate Duty without protest, because we deemed it most unfair. The whole result of the operations of the Chancellor of the Exchequer is most unfair to Ireland, because its share of Probate Duty is very small, as that is a tax which is much more productive in England than in Ireland, and the unfair allocation of the Spirit Duty aggravates the grievance of Ireland.

(11.5.) MR. CONYBEARE (Cornwall, Camborne): I think it is only fair that English Members should take some part in this Debate. In some parts of the country, and especially in Cornwall, in which I am more particularly interested, there is a very strong feeling on this question, and I think the time is come when we should enter our protest against the whole policy of the Government in connection with this tax. The Government have little hope of winning any support in Scotland or Ireland; indeed, they did not the other day venture to contest the return to this House as Member for Mid Tipperary my fellow criminal; while as to Scotland the only scintilla of hope they have had was in the election at Ayr Burghs. Surely it was very unkind of them to reward their friends in that constituency by thus increasing the Spirit Duty. On the other hand, the Government have everything to fear from the defection of the brewers, who are a strong electioneering force in England, and, notably, in the southern part of the island; and this is the explanation of their policy. They have held out to them a gigantic bribe for their votes and

*Sir W. Harcourt*

influence at the next election, and they may reasonably fear that if they fail to carry their proposal that election will result unfavourably to them. It is very amusing to hear the right hon. Gentleman, who has deserted his former chief, always relying on the financial authority of that greatest of modern Financial Authorities—the right hon. Gentleman the Member for Mid Lothian. I always notice that when right hon. Gentlemen opposite get into any difficulty, they find it convenient to quote the right hon. Gentleman as their authority. They practice what they do not preach, and if their leaders only had the honesty to stand by their principles it would be more reputable on their part. Though we may be all agreed as to the desirability of taxing spirits with a view to preventing intemperance, we are not all at one as to the wisdom of utilising the proceeds of the tax for the purpose of pensioning off publicans. I should prefer to see no taxation of spirits at all, rather than that, by means of the taxation, we should confer on the publicans a vested interest which has hitherto been denied to them. There are minor reasons for opposing this proposal, but perhaps it is hardly worth while emphasising them, seeing that they have already been raised by other speakers in the course of this Debate. But, before I resume my seat, I should like to state that I entirely sympathise with those who have argued against the impolicy of heavily taxing native spirits to the great advantage of the filthy potations which the Germans send over here. We are being flooded with Germans and German articles, with German waiters, and with German potato-spirit of a most poisonous character, and we have actually got a German Hebrew trying to force his way into this House for the purpose of undermining the political Constitution of this country.

(11.16.) MR. H. H. FOWLER: I think there is a general misconception as to the position of the tax on beer. My hon. Friend has contended that no new tax is being imposed, and the Chancellor of the Exchequer has contradicted that statement. There seems to be a general impression that last year the Chancellor of the Exchequer imposed an additional tax on beer for Imperial purposes, and that he now

proposes to transfer that tax to local purposes. That is not the case. There has been no additional tax on beer at all. I will read the words of the right hon. Gentleman in his Budget speech last year. He said—

"I have still to find £300,000. This I propose to effect by doing an act of justice and reparation to the right hon. Gentleman the Member for Mid Lothian. I must ask the Committee to carry its mind back to the year 1880, when the right hon. Gentleman substituted a Beer Duty for the duty on malt and certain other duties connected with the manufacture of beer which had previously existed. The problem he had to solve was to place such a tax upon beer as would be a full equivalent for the duties which were abolished, and give a slight advantage to the Revenue. He did this by assuming that two bushels of malt would yield 36 gallons of beer of a specific gravity of 1055, and by imposing a tax of 6s. 3d. either on the two bushels of malt or on the 36 gallons of beer of a specific gravity of 1055. A great resistance was offered by the representatives of the brewers' interests, who asserted that the imposition of 6s. 3d. on 36 gallons of beer of the specific gravity of 1055 would give a great deal more than the right hon. Gentleman estimated. . . . In the long-run it has been proved that my right hon. Friend was entirely right. Still, the right hon. Gentleman yielded to the brewers' contention, and raised the standard of specific gravity from 1055 to 1057. What I propose to do is to revert to the original proposal of the right hon. Gentleman."

It is evident that, from 1880 to 1889, the brewers were not paying their full share of taxation; they were, instead, putting the money into their pockets. Last year the Chancellor of the Exchequer rectified the injustice. Therefore it is not right to say that the right hon. Gentleman has put any additional tax whatever on beer.

(11.20.) MR. J. M'CARTHY: I hope the Chancellor of the Exchequer will now allow me to say what I would have said earlier in the evening had not the right hon. Gentleman closed me. I do not often take part in the Debates of the House—

MR. GOSCHEN: I hope the hon. Gentleman will allow me to say that I did not see who was the person in possession of the House. [*Cries of "Oh."*] What do hon. Members mean by saying "Oh?" Surely they accept my statement? I give my assurance to the hon. Member, knowing his position in the House, that I did not know he was the Member who had risen.

MR. J. M'CARTHY: I entirely accept the assurance of the right hon. Gentleman. I am sure the right hon. Gentleman had he seen me would not have stopped me, as I do not usually occupy the House at any length, and never speak unless I think I have something to say. What I want to point out is that we have had no explanation from the Government as to their plan or method for utilising the machinery of Irish cities and towns for the purpose of dealing with this Licence Purchase Question. The question I wish to ask is whether the right hon. Gentleman can give a single precedent for raising a tax which is not to be applied within the year?

(11.22.) MR. GOSCHEN: My answer to the observations of the hon. Member is that Her Majesty's Government made an offer fairly to consider the question of this £40,000 being disposed of by the Municipal Authorities in Ireland. Soon after that it was said that some arrangement had been come to with the Town Clerk of Belfast, whose name I had never heard of, and then the hon. Member for Longford stated that the Irish Party could not consider the question of the administration of these funds by the Municipal Authorities until the municipal franchise had been reformed. I have never said that the Government withdrew their pledge, but they cannot undertake to alter the municipal franchise, or to deal with Municipal Government in Ireland, before they pass this Bill. That is the main point. As to the other point of the hon. Member, as to there being any precedent for the allocation of money the disposal of which has not been finally settled by Parliament, I would remind him that the allocation of the Probate Duty was made before the final disposition of the fund was settled. Let me remind the hon. Member that this £40,000 is only part of the sum dealt with in this Bill.

(11.26.) SIR G. CAMPBELL: I am very glad indeed that the right hon. Gentleman the Member for Wolverhampton has proved, by the words of the Chancellor of the Exchequer, that no additional duty has been put on beer, but that what was done last year was to rectify the duty imposed in 1880. The right hon. Gentleman told us that the



duties on articles of ordinary consumption ought to be reduced; but is not whisky an article of ordinary consumption, and are you reducing the duty on that? No, you are increasing it. The Chancellor of the Exchequer wants to put beer on the same footing as tea and currants; he says it ought not to be taxed. I utterly deny that, and I think the Government proposal is a most arbitrary one, not to be justified by the references to the allocation of the Probate duty.

(11.29.) Mr. ILLINGWORTH: I wish, before we go to a Division, to enter my protest against the Government scheme. This and the three following clauses are what I regard as the extension of a vicious system—a system of subvention from the Imperial Exchequer. It has been contended that this is a separate local Budget, but the Chancellor of the Exchequer has entirely knocked that ground from under his feet. Now, what are the facts before us? It is bad enough when we are trying to raise the money wanted for Imperial taxation; but here the Government are proposing to create a tax for local purposes, which is designed to set Scotland and Ireland against England, while the people are being deluded by having the money taken out of one pocket for the purpose of having it put into the other. I wish to enter my protest against the mischievous and vicious system of subventions from the National Exchequer for local purposes, and I believe the policy of the Chancellor of the Exchequer will, in a very short time, be condemned as mischievous to the last degree. If the local taxation of this country amounts to £40,000,000, and they want £4,000,000 more, surely the ratepayers will be courageous enough to raise the additional sum on the same system as the rest, without resorting to the juggling system of subventions. The Chancellor of the Exchequer has attempted to deal with the gross injustice which will be caused by the dangerous proposal, first of all to tax Ireland without her consent, and then to tie up the money so that she cannot get the benefit of it. Surely Ireland is the last portion of the kingdom that ought to be experimented on in this way. If the Chancellor of the Exchequer saw the

*Sir G. Campbell*

difficulty of establishing a Local Authority in Ireland to distribute the money, he ought to have left Ireland out altogether till such time as she might be able to distribute the money produceable by Irish taxation. What good can come of this legislation? It is a piece of legislation which the country will very shortly have to redress, and we shall then convict ourselves of having wasted the time of the House over so small a matter during a Session in which the Government have so many important measures which it declares must be passed into law.

(11.33.) Mr. T. M. HEALY: I wish to say a word or two in correction of the Chancellor of the Exchequer. It is very hard for us struggling Irish Members to defend ourselves against his repeated charges of misrepresentation, because we venture to give our appreciation of his statements. Whenever we venture to challenge him, he says that when we come to the clause he will make his grand and final deliverance on the subject. I challenge him now to say whether the use of the Closure this evening was not justified on the ground that we should have sufficient discussion on this question when we came to this clause? We have only discussed the matter a very short time.

Mr. GOSCHEN: We have been discussing it since 9 o'clock.

Mr. T. M. HEALY: I largely sympathise with the Chancellor of the Exchequer, who is in charge of the Bill, and is conducting it by himself, unsupported by any of his Colleagues who opposed the Whisky Bill of 1885. I feel for his position, alone as he is on that Bench. He says we have been discussing this matter since 9 o'clock, but, so far from that being the fact, not one word was uttered till the right hon. Member for Derby got up and asked a question. It was the Scotch clause we were discussing.

Mr. GOSCHEN: We ought not to discuss on this clause a question which is raised by a subsequent clause.

Mr. T. M. HEALY: Then, when is this question to be discussed? Are we to be dodged about from clause to clause as if we were pursuing some "Will o' the Wisp?" What we are pursuing is the sum of £40,000, which is a very different thing, and what we want to get

from the Government is on what clause we may discuss this subject. If the right hon. Gentleman would only say "on this or that particular clause I will make my announcement," we will stop instantly, but we cannot allow this question to remain in a kind of Parliamentary cloudland. The right hon. Gentleman is at present in a state of Parliamentary ineptness; he does not want to get along. The Chief Secretary has deserted him, and so long as he had that right hon. Gentleman by his side, he left the matter very much to him. Now, however, the Chief Secretary has gone, and this shows how beautifully united the Cabinet is. I deny the assertion of the right hon. Gentleman that I object to his proposal on principle. What I said was that we should be glad to accept it if the Government would give us the same franchise that exists in England and Scotland. Nor did I charge the right hon. Gentleman the Chief Secretary with colluding with Mr. Black, of Belfast. I also introduced the hon. Baronet the Member for Mid Armagh, and it seems very strange that whenever I mention this subject the hon. Baronet immediately skedaddles out of the House. ["No, no!"] Oh, at present I see the hon. Baronet has taken up a very modest position. What I asserted was that the hon. Baronet, accompanied by Mr. Black, had taken a particular course, in order to put pressure on the Chancellor of the Exchequer.

THE CHAIRMAN: Order, order! This discussion is quite irrelevant to the clause before the Committee.

MR. T. M. HEALY: I bow to your ruling, and I think the astonishing thing is that we have been able to get so far. I have only, in conclusion, to assure the House that our only anxiety in this matter is that if we are to be taxed, our money should not be hung up. I think it would be the proper thing, supposing the tax cannot be used for the extinction of public house licences, to refer the point to a small Committee, on which I should not object to see the hon. Baronet the Member for Mid Armagh taking the position of Chairman. In that way you might get out of the Constitutional difficulty in which you are now placed, namely, the raising of money which you do not know what to do with. For the

first time, the present Chancellor of the Exchequer has placed the House in this dilemma, and I deny and protest against his statement, repeated four times, that what occurred in 1888 is a precedent in this matter. The question of the Probate Duty was an entirely different question. It was not, as in this case, the imposition of a new tax. If it were a precedent at all, it was one invented by the Chancellor of the Exchequer himself. Here you seek to impose a tax on Irish commodities which the Irish people repudiate through their Representatives, and no one knows what is to become of the money. These are our objections to the clause.

(11.45.) The Committee divided:—Ayes 240; Noes 169. —(Div. List, No. 94.)

Claus: 5.

(11.58.) DR. TANNER: I rise for the purpose of trying to move the exemption of a substance which has become very popular and useful, and beneficial to the public. I refer to chloroform, the application of which has been greatly successful in ameliorating human suffering. It was first used and turned to account by a French surgeon, and then was turned to account by an English surgeon, Mr. Lawrence, of St. Bartholomew's, and by Edinburgh surgeons, since which time it has come into general use. Because this drug has come into general use the Chancellor of the Exchequer seems to think it right to tax it. The first time it was taxed was in 1856, when 3s. was put upon it. The increase now proposed is a very small one, namely, 1d., but I think that at a time like the present, when the anæsthetic is so extensively used, and is of incalculable value to humanity, the tax ought rather to be taken off than increased. If any non-medical Member of the House had an opportunity of seeing what my medical friends are in the habit of witnessing every day—the sufferings of unfortunate patients on the operating table—and if they could appreciate the terrible agony these people had to go through before anæsthetics were known, they would instead of increasing the tax upon chloroform, be only too anxious to do all in their power to take it off. I should like further to say that chloroform is more

extensively used in the public hospitals nowadays than it was formerly—of course, in those hospitals supported by voluntary contributions—and, in view of those institutions especially, I think the tax an unfair one. And the more right hon. and hon. Gentlemen look into it the more they will see the inherent objection to the increase of the tax.

(12.1.) MR. GOSCHEN: Perhaps the hon. Gentleman will allow me to interpose and to point out that if this clause is omitted the only result will be that the foreign manufactured article will come into this country duty free, and English manufactured chloroform will pay a higher duty. This clause is necessary in order to put the foreign and English manufactured articles on the same footing. The total amount of the tax which would be derived from this addition would only be about £7, and I trust, therefore, the hon. Member will see that the item is hardly worth while discussing.

(12.3.) DR. TANNER: Then will the right hon. Gentleman promise to give a rebate on English chloroform? When the right hon. Gentleman was introducing the Bill he made an allusion to Fair Trade in connection with currants, and there was a loud cheer from below the Gangway. Well, if he allows a rebate upon home spirits, why should he not do so in the case of home made chloroform? He says the amount of the increase is very small, if it is small why propose it? I think, instead of putting an increased tax upon these anæsthetics, the proper policy would be to take it off entirely. I want to force this point to a conclusion, and to ascertain whether the right hon. Gentleman, who is a supporter of coercion in Ireland, will also desire to deprive suffering mortality in England of the relief which is afforded them by this great invention. I shall press my Amendment to a Division, and I may say that I think the right hon. Gentleman should extend to hon. Gentlemen on this side of the House that courtesy which they are in the habit of extending to him. There is another Amendment down in my name, and that is with reference to a substance known as sulphuric ether, which is used for flavouring foreign spirits. I will not propose that Amendment. There is also one as to "ether

*Dr. Tanner*

butyric," which is used, I am told, for purposes of adulteration. I shall not propose that either, but will confine myself to dealing with chloroform and collodion.

Amendment moved, in page 2, line 25, to leave out the word "Chloroform."—  
(*Dr. Tanner.*)

Question proposed "That the word 'Chloroform' stand part of the Clause."

\*(12.5.) MR. CHILDERS: I hope hon. Gentlemen below the Gangway will not find it necessary to divide the House. I would point out to the hon. Member that chloroform is made in this country with spirit; the spirit is either distilled here or imported, and, therefore, has paid a duty, which duty is included in the price of the chloroform sold in London. If the Committee strike out this clause the effect will be that the foreigner will reap the advantage, for the difference to the English producer will be sufficient to destroy the trade. It will prohibit the production of chloroform in this country in favour of French manufactories, where a very large amount of this drug is made. What I would suggest is that the hon. Gentleman should not press this Motion; but if he could induce the Chancellor of the Exchequer to consider whether it would not be possible, in the interest of the home manufacture of chloroform, to introduce some Excoise arrangement which would enable the British manufacturer to use spirit free of duty, as in the case of methylated spirit, it would be very desirable—assuming that, from the Revenue point of view, it was possible, and then there need be no duty on foreign chloroform.

(12.10.) MR. T. M. HEALY: I have understood that we are all Free Traders, and if Free Trade is to apply in some directions I do not see why it should not apply in this. I do not see why the British manufacturer should be ruined in order that the consumer may benefit. Why is the chloroform maker to get an advantage over the whiskey manufacturer? While we admit German postcards and German swords, and other articles of German manufacture into the country, why should we protect British chloroform against foreign chloroform? Why should not the chloroform trade be put on the same footing as the sugar bounties

arguments advanced by the Chancellor of the Exchequer earlier in the evening, and it would be unreasonable to attempt to commence the discussion of this clause at such an hour.

(12.36.) MR. T. M. HEALY: I would point out to the First Lord of the Treasury that he proposes to take the whole time of the House; and, that being so, to-morrow evening and Wednesday afternoon will be at his disposal. I think the Government have not considered their own harvest of opportunities in this matter. I would also point out that the present hour is equivalent to 20 minutes to 2 of the old time. The Government gain nothing by resisting the Motion to report Progress, and their position would be far stronger to-morrow night in moving to take private Members' time if no progress were made in the meantime. I protest against their present attitude as a most unreasonable one.

\*(12.40.) MR. W. H. SMITH: I am anxious to meet hon. Gentlemen as far as I can, but no suggestion has been made as to when the Bill can be got through Committee. Under these circumstances, we are clearly bound to make progress. The right hon. Gentleman the Member for Derby has said the Debate this evening has been a perfectly reasonable one. I have no wish to enter into any controversy with him on that point; but I have been present the greater part of the evening, and I could not help noticing a considerable amount of repetition. However that may be, I do not desire to enter into a contest as to the circumstances which render it necessary for us to ask the House to proceed somewhat longer than it has yet done.

MR. LABOUCHERE: Let us fight it out now.

SIR W. HARCOURT: Will the right hon. Gentleman state how much longer he will take to go on? [*Ministerial cries of "No, no!"*] That shows the temper of the Party opposite. The shouts of hon. Gentlemen simply show that the supporters of the Government will not listen even to the reasonable proposals of their own leader.

MR. ILLINGWORTH: There is one other consideration. The Chancellor of the Exchequer is asking hon. and right hon. Gentlemen opposite to

swallow all their principles and to go directly in the teeth of the votes they gave in 1885. That ought not to be without some deliberation. I do not think the Government is well advised in following further the *Times* newspaper. The *Times* newspaper—[*Ministerial cries of "Oh, oh!"*—the *Times* newspaper—[*renewed cries of "Oh, oh!"*—the *Times* newspaper—[*renewed cries of "Oh, oh!" and counter cries of "Pigott!"*]] The Government have been led far astray by taking the advice of the *Times*, and if they take it again they will only have to blame themselves for the consequences.

\*MR. W. H. SMITH: I am not desirous of entering into any controversy which can be avoided, but I think it is not unreasonable to ask the House to finish the 6th clause—[*"No, no!"*—seeing that all the questions that it raises have been debated on the 4th clause. Clause 7 is the clause which raises the questions of interest for the Party opposite.

MR. HUNTER: It is most unreasonable to ask Scotch Members to debate a point of peculiar interest to them at a time when the proceedings of the House cannot be adequately reported. The Scotch case has not yet been dealt with because the Scotch Members were told by the Chancellor of the Exchequer that they could most properly plead their case on the 6th clause. Already the proposals of the Government have been condemned by two-thirds of the Scotch Members, and now the leader of the House is trying to force the Bill through at 10 minutes to 1 o'clock.

MR. SEXTON (Belfast, W.): I assure the leader of the House, who, I am sure, does not wish to be unfair to the Irish Members, that they refrained from speaking on Clause 4 because they thought they could raise the Irish case best on Clauses 6 and 7, both of which raise questions of great importance. I should like to remind the right hon. Gentleman also that, although a Division was challenged on Clause 5, we did not go to a Division, because we distinctly understood that if we did not the Government would not resist the Motion to report Progress.

\*MR. W. H. SMITH: I had no knowledge that influence was being brought to bear on hon. Members.

MR. SEXTON: There must have been some misapprehension; but hon. Gentlemen were led to believe that the Government would consent to report Progress. On that account we refrained from taking a Division on Clause 5. The right hon. Gentleman very naturally wishes to make progress, but surely the course proposed by him is not the one best calculated to expedite business. To expect that hon. Members can conveniently enter upon this discussion at so late an hour of the night is absurd. I warn the Government that if they enter upon it they will not finish the clause, even if they sit all night.

MR. T. P. O'CONNOR: I was in consultation with my hon. Friend, and I know he abstained from making any observations upon Clause 4 because he thought the Irish case could be raised more properly upon Clause 6. I, myself, was prepared to make a few observations on the subject, but, holding the same opinion as my hon. Friend, I abstained from doing so. I also wish to assure the right hon. Gentleman that we did not divide on the last question because of the distinct assurance conveyed to us that the Government would consent to report Progress.

\*MR. W. H. SMITH: By whom was the assurance given?

MR. T. P. O'CONNOR: I will use the usual language employed in such cases. The information was conveyed to us by the ordinary channels by which such information is conveyed.

\*MR. W. H. SMITH: There was no authority whatever for such information.

MR. MARJORIBANKS (Berwickshire): I think there has been some misunderstanding between my hon. Friends below the Gangway and myself. It was thought desirable by my right hon. Friends on this Bench that the Government should not be put to the trouble of a Division on the 5th clause. I did my best to convey that view to hon. Members below the Gangway, and said that if that Division were not taken my right hon. Friends on this Bench would support the Motion for Progress. From my own point of view, and on my own authority, I also said I did not doubt that right hon. Gentlemen opposite would not persist in pressing the Bill further at so late an hour.

MR. H. H. FOWLER: I think I may very properly make an appeal to the First Lord of the Treasury on the part of those Members who, like myself, have been sitting on Select Committees during the day. It is now 1 o'clock, and, unless there is a case of imperative public necessity, it is unfair and unreasonable to ask hon. Gentlemen to sit up longer after they have been here for 13 hours. Is there a case of imperative public necessity? There is a Rule of the House that only one stage of a Money Bill can be taken in the same day. Consequently, if the Government get Clause 6 to-night, they will still have to take the Report stage on Wednesday, and they cannot get the Third Reading before Thursday. The right hon. Gentleman has said he is prepared to ask the House to give him the whole of to-morrow and the whole of Wednesday. That will be a large appropriation of the time of private Members. The Government can thus secure the Third Reading on Thursday. They are, therefore, not entitled to put an unfair pressure upon a large section of the House, who are doing their duty to the best of their ability.

\*(1.0.) MR. W. H. SMITH: If the right hon. Gentleman and his friends will promise to assist the Government in getting the Bill through Committee to-morrow, I will at once consent to the Motion to report Progress. I have no desire to put undue pressure on hon. Members in any part of the House. But the Government are bound to endeavour to get this business through before Whitsuntide. As I say, if we get the promise I have suggested, I shall be exceedingly glad to fall in with the suggestions of the right hon. Gentleman.

(1.1.) MR. LABOUCHERE: I protest against any species of bargain being entered into. This is an old plan of the right hon. Gentleman the First Lord of the Treasury. He takes important business in the middle of the night and then says, "I will allow you to go home immediately if you will make a bargain with me to agree to pass the Bill in a certain number of hours." I ventured to interpolate a remark when the right hon. Gentleman was speaking, which he at once took up. It was a simple remark, but it was a practical one. It was, "Let us fight it out." Why did

I say that? I said it because I am an old bird at this game. I knew what was going to happen. I saw the right hon. Gentleman come in ready to protest against our Motion to report Progress, and I saw hon. Members behind him who had returned from evening and dinner parties. I heard their shouts. I heard them calling upon their Friend the First Lord of the Treasury to put the Bill through by force. It is evident the right hon. Gentleman came in stolidly and obstinately determined, as far as possible, to get the 6th clause passed; and hon. Members had mustered in force to support him in that purpose. In vain did Gentlemen who represent Scotch and Irish constituencies point out that the matters raised by that clause would take hours to legitimately discuss. I can only repeat "Let us fight it out." It is no use appealing to the First Lord of the Treasury. I advise hon. Members around me to enter into no arrangement, but to fight this matter out.

(1.3.) COLONEL NOLAN: May I point out to the right hon. Gentleman the First Lord of the Treasury that our constituents take very great interest in this subject, and may I ask him if it is fair at 1 o'clock in the morning to invite them, wearied and fagged as they are, to enter into a discussion upon this important question? How can we preach law and order to the people in the West of Ireland when the First Lord of the Treasury and the Chief Secretary insist on taxing them at such an hour of the night, and when it is totally impossible that the speeches of their Representatives can be published? I say that this is a most un-Constitutional act on the part of the Government, and that the people of Scotland and of Ireland will consider that this Conservative Ministry is acting in a most un-Constitutional manner in pressing the clause through at this hour.

\*(1.6.) MR. FLYNN (Cork, N.): I and a large number of Irish Members took no part whatever in the discussion on Clause 4, because we preferred to reserve ourselves for the Debate on Clause 6, the proposals contained in which are causing great anxiety and a sense of injustice, both in Ireland and in Scotland. Hon. Members opposite who have not been in attendance during the Debate may be under the impression

that we have been discussing the points raised by this clause during the whole of the evening, but we have been doing nothing of the kind. We have simply reserved ourselves for this clause. I hope the first Lord of the Treasury will listen to the voice of reason and will not try to carry this measure by force.

(1.8.) MR. CONYBEARE: Hon. Members opposite may cry "Divide," but if they had been here instead of dining out they would know I have not taken up much time in discussing this question to-night. I object to voting taxation at this late hour of the night and in this improper manner. I think it is a most improper practice, and I shall consider it my duty on all occasions, while I have the honour to occupy a seat in this House, to protest to the utmost of my ability against allowing Money Bills to come on at these irregular hours. The right hon. Gentleman the First Lord of the Treasury is very fond of appealing to the interests of the country, but I should like to know if he thinks he will be serving the best interests of this country by forcing us into an all night conflict? All night Sittings do not tend to the transaction of any real business. They simply raise up difficulties which confront the Government at later stages of the Bill. I appeal to the First Lord of the Treasury to assent to our very reasonable demand, and not to insist upon prolonging this wrangle. I refuse to lend myself to any bargain between the two Front Benches. I do not like bargains. The right hon. Gentleman the Member for Derby has clearly pointed out in his very forcible speech that there is nothing likely to prevent this Bill being got through before the Whitsuntide Recess, and I do trust, therefore, that the right hon. Gentleman, now that we have spent three-quarters of an hour in discussing this question, will agree to the Motion.

MR. WILLIAM HENRY SMITH rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

(1.15.) The Committee divided:—  
Ayes 195; Noes 126.—(Div. List, No. 95.)

Question put accordingly, "That the Chairman do report Progress, and ask leave to sit again."

(1.25.) The Committee divided:—  
Ayes 127; Noes 194.—(Div. List, No. 96.)

(1.37.) MR. CAMPBELL-BANNERMAN (Stirling, &c.): I wish to make an appeal to the right hon. Gentleman on behalf of the majority of Scotch Members who are particularly interested in Clause 6, which raises a question affecting the imposition of the duty in Scotland, and which they are of opinion is grossly unfair in its character. I do not refer to the objects to which the tax is to be devoted. I refer merely to the comparison of the charge on the English, the Scotch, and the Irish people which is involved in the imposition of this duty. I believe most of us would not be unwilling to see an increase in the Spirit Duty, if accompanied by an increase on the liquor consumed in other parts of the United Kingdom. The Scotch Members think that the article of commonest consumption in Scotland—and this also applies to Ireland—is being taxed under this Bill to an extent very much in excess of the tax imposed on the article of the commonest consumption in England. The Scotch Members are prepared to lay their case before the Government and the country, but they cannot possibly do so at this hour of the night. It is absolutely necessary to the proper vindication of their case that the discussion shall take place at an hour when the Debate can be reported. If the discussion is taken now nothing will be gained, because I fear the arguments will be repeated on the Report stage; so that no time will be gained. I do not intend to move a dilatory Motion, but shall simply make an appeal to the right hon. Gentleman.

\*(1.40.) MR. W. H. SMITH: I fully recognise the conciliatory spirit in which the right hon. Gentleman has made the appeal. If the right hon. Gentleman and his Friends are prepared to support the view expressed by the right hon. Member for Wolverhampton the Government will be most ready to meet those views. I think that view is exceedingly reasonable, and I shall be glad to meet it

by reporting Progress, and taking the discussion to-morrow.

(1.41.) MR. ESSLEMONT (Aberdeen, E.): I must point out to the right hon. Gentleman that the people of Scotland take a deep interest in this question, and we shall not be doing our duty to our constituents by presenting our case at 2 o'clock in the morning. I beg to move that the Chairman leave the Chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Esslemont.*)

(1.42.) MR. T. M. HEALY: The difference between the Government and the Opposition is not now very marked. It is understood that the Bill will be passed before Whitsuntide, and in those circumstances I cannot see that the Government have anything to gain by keeping the House longer. The clause in dispute may be discussed and disposed of on the following day. Besides, there is nothing said about the time of adjournment for the holidays on Friday.

(1.45.) THE MARQUESS OF HARTINGTON (Lancashire, N.E., Rossendale): I think the hon. Member has introduced a practical consideration by suggesting that the time of adjournment for Whitsuntide is left open, and if sufficient progress is not made with the Bill it may be that the Motion for adjournment will not be made on Friday. I can quite understand Members below the Gangway objecting to anything in the nature of a bargain between the two Front Benches, and I do not think any bargain has been entered into. Still, I think that, as no one on the Front Opposition Bench has risen to support the suggestion made by the right hon. Member for Wolverhampton with reference to what may be done to-morrow, it is rather unreasonable to expect the Government to consent to proceed no further to-night. There ought to be some concession on each side.

—(1.47.) MR. SEXTON: I am entirely unaware of any reason why the Government should press us so urgently to agree to a time bargain. I have been a spectator of the proceedings throughout this discussion, and have heard speeches from this side of the House and replies from the Ministerial Bench, and I

have discovered nothing obstructive—or even dilatory—in the proceedings. May I refer for a moment to the Debate on the Second Reading of the Local Taxation Bill. I should like to ask how many Irish Members took part in that Debate? Is it not a fact that not a single word was uttered by Irish Members on that occasion; and is it not equally a fact that in the present Debate no Irish Member has spoken who has not contributed serious matter for the consideration of the Committee? I have given close attention to the speeches from the beginning to the end; they have been dictated by a desire to bring before the House matter worthy of its consideration; therefore, I am at a loss to understand why the Government should press us for a time bargain. We are entitled to a fair and liberal construction of our motives in continuing this Debate, and I think we are justified in refusing to enter into any arrangement. It is understood that the Motion for the adjournment for the holidays will be moved on Friday; and I think, in view of that fact, the Government have every prospect of getting that adjournment carried without in any way jeopardising the Bill now under discussion. If there is any difficulty let them take the necessary steps to ensure that the Bill is carried. I shall assent to no time bargain, and I may say for my Colleagues as well as for myself that we shall continue to conduct ourselves, not with any desire to unduly prolong the Debate, but with a view to securing a fair, adequate, and exhaustive discussion on a point affecting the interests and fortunes of our country.

(1.50.) **SIR W. HARCOURT:** Does the noble Lord expect everybody on this Bench to rise and express an opinion as to what should be the progress of this Debate? This may be an interesting proceeding, but it is also a new method of procedure in the House of Commons. I have been cautious to give no pledges in this matter, because the other day the leader of the House and the Chancellor of the Exchequer charged me with having broken pledges which I did not consider I had given, or indeed that anybody had given. I do not intend to expose myself to such a charge hereafter. The action of the Government is calculated

to make it impossible for any flag of truce to be held out from these Benches with a view to facilitating business. That is the reason why I have given no pledge. But if it is desired that I should rise and express concurrence with the suggestion of the right hon. Member for Wolverhampton I readily do so, because I fully agree with it, although I wish to be cautious about entering into pledges.

(1.52.) **MR. GOSCHEN:** The hon. Member for Longford has said there is not much difference between the views of the Government and those of hon. Gentlemen opposite. I do not know how far to interpret what the hon. Member for Longford has said to mean that to-morrow will suffice for the discussion of the remaining clauses. That is understood to be the view of the right hon. Gentlemen the Members for Derby and Wolverhampton. But the hon. Member for Northampton has said that he will be no party to any kind of bargain. From the attitude of the hon. Member the Government may fairly expect that to-morrow hon. Members may discuss one or two Amendments, and in the evening the Committee may find itself in the same position as we are in at this moment. The hon. Member for Northampton has said, "Let us fight it out," and in that sentiment he was cheered by a section of hon. Members opposite. The Government think that, on the whole, the hon. Member is more in command of this warfare than some other older Members; but if the Government obtain a reasonable hope that the Scotch and the Irish Members may be able to present their case to-morrow then they will be disposed to report Progress now. If, however, there is no indication to that effect, the Government must act on the principle enunciated by the hon. Member for Northampton.

(1.56.) **MR. LABOUCHERE:** I have no objection to the right hon. Gentleman entertaining any expectation that he chooses. How is it possible for me to say that the Debate will come to an end to-morrow? All this is in the womb of the future. I protest against the system which the First Lord of the Treasury adopts of saying, "You must go on until an unreasonable hour of the night unless you enter into some agreement that you will only debate the question



until a certain time next day." I have already said let us fight it out. I did not think there was the slightest chance of coming to terms with the First Lord of the Treasury. There is only one way out of the difficulty, and that is for the Government to be reasonable and surrender.

\*(1.59.) Mr. LENG (Dundee): As a new Member of the House I am not accustomed to these untimely hours. Before I came here my constituents, knowing that I was not over strong, advised me to take care of my health. I promised that I would do so; but I am afraid that on this, the first occasion of temptation, I have yielded, and have broken my promise. I rise to support the Motion of my hon. Friend the Member for East Aberdeenshire, because it appears to me that at this moment we are not a deliberative Assembly. How can we, at 2 o'clock in the morning, enter into a discussion on a series of clauses of the utmost importance to Scotland and Ireland? I agree with what the hon. Member for Aberdeenshire has said that the people of Scotland are intensely interested and feel great anxiety with regard to the two clauses that have to come before the House, and the attempt to force their consideration on the House at 2 o'clock in the morning, after many Members have been here from 11 o'clock on the preceding day, and we are to have a Morning Sitting to-day, is a thing against which I, for one, enter my strongest protest.

Mr. CONYBEARE: I appeal to the First Lord of the Treasury on behalf of his Colleague the Chancellor of the Exchequer. I am quite certain that, if the Government go on in the way they propose, they will be the death of the right hon. Gentleman.

(2.5.) Mr. HALSEY rose in his place, and claimed to move, "That the Question be now put;" but The CHAIRMAN withheld his assent, and declined then to put that Question.

Debate resumed.

Mr. CONYBEARE: If one's sympathetic expressions are to be met in this way this is the last time I shall ever express my sympathy with anyone on the opposite side.

*Mr. Labouchere*

DR. TANNER: I concur with the argument just addressed to the First Lord of the Treasury. I have been in this House since 2 o'clock yesterday, and I am supposed to come here again at 11 o'clock to-day. It has been shown that other Members have been here since 11 o'clock yesterday and that the House is to meet again at 2 o'clock this afternoon. It will be absolutely and physically impossible that hon. Members should perform their duty if called upon to sit so many hours together, and I think the country will expect from the Government something more than the silly way in which they are treating the wishes of the Representatives of Scotland.

(2.12.) Mr. AIRD rose in his place, and claimed to move, "That the Question be now put"; but The CHAIRMAN withheld his assent, and declined then to put that Question.

Debate resumed.

DR. TANNER: I have spoken very seldom on this measure, and on the occasions when I have spoken to-night it has been simply on medical matters with which I am acquainted, and then I so condensed what I had to say that even the Chancellor of the Exchequer was satisfied. I ask only for fair play, the standard of which ought to be upheld by the English Members. I think the Government ought to assent to the request made on behalf of the Scotch Members. In this case, the Government are occupying the undignified position in which they allow the "tail to wag the dog." But I will not speak at any undue length, and will conclude by expressing a hope that the Government will consult the wishes of the large minority of this House, and allow the further consideration of this question to be postponed.

Question put, "That the Chairman do now leave the Chair."

(2.13.) The Committee divided:—Ayes 114; Noes 177.—(Div. List, No. 97.)

(2.20.) Mr. J. MORLEY (Newcastle-upon-Tyne): Mr. Courtney, I confess I do not understand what it is the right hon. Gentleman is any longer waiting for. The proposal of my right hon. Friend (Mr. Fowler) he acknowledged to be very

satisfactory, and the noble Marquess invited Members of this Bench to express their opinion upon it. The right hon. Gentleman (Sir. W. Harcourt) gave an expression of his opinion, to which the Chancellor of the Exchequer, I understood, did not object. But what the right hon. Gentleman is expecting is an assurance from every part of the House that Clauses 6 and 7 will be passed to-morrow. He is experienced enough to know that he cannot get such an undertaking; therefore he must look to the probabilities of the case. Clause 6, I understand, chiefly affects the interests of the Scottish and Irish peasantry. It is not likely that Irish Members will interfere with the discussion of Clause 6, but what will happen, as the result of the unconciliatory attitude of the Chancellor of the Exchequer, will be that to-morrow, when the Motion is made for taking the whole time of the House for this Bill, the discussion will be prolonged, and it is perfectly certain, after what has happened to-night, that the discussion on Clause 7 will be prolonged even beyond what its importance demands. I do not, like my hon. Friend the Member for Northampton, demand the surrender of the right hon. Gentleman, but I appeal to him to take a business-like view of the situation, and extricate the matter from its difficult position by not insisting upon going on with the clause.

(2.22.) MR. GOSCHEN: What I think we can ask is that from the various sections of the House there should be some kind of a promise given. If we could get from the hon. Gentleman for Northampton, and from one or two of the leaders of the Irish Party, language similar to that which has been used by the right hon. Gentleman, that would be sufficient for the Government. But we have no kind of distinct hope that hon. Members will do their best to bring this matter to a determination. What we want is a fair assurance, not an absolute promise, from sections of the House chiefly interested, that we shall be able to make progress if we stop to-night. But it must be clearly understood by hon. Members that until this Bill has been passed the adjournment cannot be moved. It is for that reason that we are

anxious to be tolerably certain that the Bill will pass through the Report stage to-morrow, and not be left in precisely the same position as it is to-night. If we are met by the Members for Ireland and Scotland in the same spirit as that shown by the right hon. Gentleman, I dare say we should consent to report Progress.

(2.25.) SIR W. HARCOURT: The right hon. Gentlemen is quite right in believing that what is desired is that we should come to a reasonable understanding, but the right hon. Gentleman has said that he is not going to move the adjournment until the Bill has passed, and he addressed that observation to hon. Gentlemen on this side, as if they, and not hon. Gentlemen on his own side, were to be deprived of a holiday—rather a novel proceeding, though I do not suppose that is what he contemplates. My noble Friend (the Marquess of Hartington) said that if we on this Bench expressed concurrence in the proposal of my right hon. Friend (Mr. Fowler), he and the Government would be satisfied. We have done so, and the Chancellor of the Exchequer is putting my noble Friend in the wrong by not taking the opportunity to come to a settlement on the subject. Instead of that he goes round the House and says he wants an undertaking from here and from there, without specifying anyone, until we do not know at the present moment whose statement will satisfy the right hon. Gentleman. What the right hon. Gentleman wants is a business-like expectation of passing the Bill. He has got it. Why does he not accept it? He will not. It is not our fault. The further assurance which he desires to get I say is not business-like.

MR. GOSCHEN: If I understood the hon. Gentleman the Member for West Belfast, I understood him to say that he would be bound by no kind of bargain. He held out no hope whatever.

MR. SEXTON: I think it is humiliating under the duress of the Closure that a promise should be extorted. I object to the endeavour to extort these bargains from Members of this House, who are here in

until a certain time next day." I have already said let us fight it out. I did not think there was the slightest chance of coming to terms with the First Lord of the Treasury. There is only one way out of the difficulty, and that is for the Government to be reasonable and surrender.

\*(1.59.) MR. LENG (Dundee): As a new Member of the House I am not accustomed to these untimely hours. Before I came here my constituents, knowing that I was not over strong, advised me to take care of my health. I promised that I would do so; but I am afraid that on this, the first occasion of temptation, I have yielded, and have broken my promise. I rise to support the Motion of my hon. Friend the Member for East Aberdeenshire, because it appears to me that at this moment we are not a deliberative Assembly. How can we, at 2 o'clock in the morning, enter into a discussion on a series of clauses of the utmost importance to Scotland and Ireland? I agree with what the hon. Member for Aberdeenshire has said that the people of Scotland are intensely interested and feel great anxiety with regard to the two clauses that have to come before the House, and the attempt to force their consideration on the House at 2 o'clock in the morning, after many Members have been here from 11 o'clock on the preceding day, and we are to have a Morning Sitting to-day, is a thing against which I, for one, enter my strongest protest.

MR. CONYBEARE: I appeal to the First Lord of the Treasury on behalf of his Colleague the Chancellor of the Exchequer. I am quite certain that, if the Government go on in the way they propose, they will be the death of the right hon. Gentleman.

(2.5.) MR. HALSEY rose in his place, and claimed to move, "That the Question be now put"; but The CHAIRMAN withheld his assent, and declined then to put that Question.

Debate resumed.

MR. CONYBEARE: If one's sympathetic expressions are to be met in this way this is the last time I shall ever express my sympathy with anyone on the opposite side.

*Mr. Labouchere*

DR. TANNER: I concur with the argument just addressed to the First Lord of the Treasury. I have been in this House since 2 o'clock yesterday, and I am supposed to come here again at 11 o'clock to-day. It has been shown that other Members have been here since 11 o'clock yesterday and that the House is to meet again at 2 o'clock this afternoon. It will be absolutely and physically impossible that hon. Members should perform their duty if called upon to sit so many hours together, and I think the country will expect from the Government something more than the silly way in which they are treating the wishes of the Representatives of Scotland.

(2.12.) MR. AIRD rose in his place, and claimed to move, "That the Question be now put"; but The CHAIRMAN withheld his assent, and declined then to put that Question.

Debate resumed.

DR. TANNER: I have spoken very seldom on this measure, and on the occasions when I have spoken to-night it has been simply on medical matters with which I am acquainted, and then I so condensed what I had to say that even the Chancellor of the Exchequer was satisfied. I ask only for fair play, the standard of which ought to be upheld by the English Members. I think the Government ought to assent to the request made on behalf of the Scotch Members. In this case, the Government are occupying the undignified position in which they allow the "tail to wag the dog." But I will not speak at any undue length, and will conclude by expressing a hope that the Government will consult the wishes of the large minority of this House, and allow the further consideration of this question to be postponed.

Question put, "That the Chairman do now leave the Chair."

(2.13.) The Committee divided:—Ayes 114; Noes 177.—(Div. List, No. 97.)

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(242.) MR. T. HARRINGTON (Dublin, Harbour): I have not yet had an opportunity of speaking on this measure. I would dissociate myself from the spirit of the remarks of the hon. Member for Aberdeen, that we have been making an appeal to the Government. For my part, I would not be a party to making an appeal to the Government; I would ask them to look at themselves as others see them, and they will be surprised at the sorry figure they cut. The First Lord of the Treasury has gone home, and the Chancellor of the Exchequer seems anxious to make as peddling a bargain as ever took place over an emergency pig in Ireland. We repudiate all these bargains, and would impress upon the Government that it would redound to their credit if they accepted this reasonable Motion, and agreed to report Progress. If they do not do that, let them agree to sit continuously until the end of the week, without an adjournment. I would say to the Government, as a friend, speaking on the Irish question from an Irish point of view, said—

"We have a hand to hold in friendship,  
And another to make you quake;  
And you are welcome to whichever  
It pleases you most to take."

(244.) MR. CONYBEARE: The right hon. Gentleman is asking us to bind ourselves down by agreements; but I remind him that we are here tonight in the interests of our constituents, and I may tell him that I, myself, would never enter into a disgraceful bargain which would practically be a dereliction of duty. There is another point to which I would call attention. It has been assumed that only Scotchmen and Irishmen are interested in this discussion; that is an entire illusion.

(245.) Mr. TOMLINSON rose in his place, and claimed to move, "That the Question be now put;" but the CHAIRMAN withheld his assent, and declined then to put that Question.

Debate resumed.

MR. CONYBEARE: I shall be very much surprised, as this Debate goes on, if  
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it does not become evident that much has to be said on the question from the point of view of the English Members. As an English Representative myself, I shall have no hesitation in adding my quota to the discussion on this clause when we get to it. I am perfectly ready to give the Chancellor of the Exchequer this assurance, that, as far as I am personally concerned, I will confine myself to the discussion of every clause of this Bill only as fully, and fairly, and intelligently as my limited capacity will enable me, and my duty to my constituents will require me.

(247.) MR. M. J. KENNY (Tyrone, Mid): A few minutes ago the Chancellor of the Exchequer was on the point of saying that he understood from the observations of my hon. Friend the Member for Belfast (Mr. Sexton) that he might reasonably hope that at the end of a certain period the House might come to a conclusion on Clauses 6 and 7. Since then, in consequence of some slight interruption, the right hon. Gentleman has remained silent. It is perfectly plain that the silence of the right hon. Gentleman is altogether due to dudgeon; his attitude is one of sheer obstinacy. The Government can keep us here dividing until morning, but it is perfectly impossible to make any progress with business. Surely they have sufficient courage to come forward and admit that for the last two hours they have been delaying the Committee and obstructing the public business. I cannot, for the life of me, understand why Money Bills should be favoured more than other Bills, and that it should be competent to discuss them at a time when any other opposed Bill cannot be taken.

\*(250.) MR. HUNTER (Aberdeen): I am surprised that in addressing his remarks to the Scotch Members the Chancellor of the Exchequer did not perceive that he was inflicting as deadly an insult upon them as it was in his power to inflict. He talked to us as if we were a set of disorderly schoolboys, and said that, if we would promise to be of good behaviour he would be graciously pleased not to ask us to begin the

the discharge of their duties. I repeat what I did say, that to-morrow the Government would be able to calculate whether or not they could move the adjournment on Friday, and I, for my part, see no reason to doubt that they will be able to do so.

MR. CLANCY: I rise to move, Sir, that you report Progress and ask leave to sit again. The attempt to discuss anything at this hour of the night is an outrage and a farce.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Clancy.*)

MR. DILLWYN (Swansea, Town): I beg to second the proposition, and in doing so, I appeal to the Chancellor of the Exchequer whether he has not seen many a wrangle of this sort, and whether he has ever seen the Government with such a minority on this side succeed in doing any business after a wrangle of this sort? I would go further, and ask him what he expects to get if he does win? Will he get a calm discussion of questions upon which the Scotch Members have appealed to him time after time for opportunity for full discussion. I second the proposition, but I do hope that the Chancellor of the Exchequer will see that he has been met on this side of the House in an amicable spirit, although we have been compelled to refuse to bind ourselves by pledges.

(231.) MR. PHILIPPS (Lanark, Mid): As a Scotch Member, I desire to join in the hope that the Government will not force us to begin a discussion upon a question of so much importance to Scotch Members at this unseemly hour of the morning. It is after half-past two, and as many of us have to meet at half-past 11 to-morrow it is ridiculous to suppose that we can start upon an important discussion now.

(232.) MR. ESSLEMONT: I think the Scotch Members have really humiliated themselves quite enough. We have appealed to the Government; we have not detained the House; we have a strong case; the question is one in which our constituents are deeply in-

*Mr. Sexton*

terested; and at this hour of the night we cannot be reported. Under the circumstances, we think it is not unreasonable that we should desire an adjournment. I do not know what opportunity we shall have of discussing these matters on Report, but I must say that if the Government think that they are facilitating business by the measures they are adopting they are very much mistaken. I do not think it would be reasonable or dignified of Scotch Members to beg favours any longer at the hands of the Government. If they think they are doing justice to Scotland in endeavouring to force on the Debate at this hour, let them do it.

(238.) MR. DILLON: The idea seems to have got abroad that it is only the Scotch Members who are interested in this matter, but nothing could be further from the truth. I myself have materials in my hand which would enable me to speak upon this question for fully three-quarters of an hour, and I should have done it ere this had I not been ruled out of order. The question is one of the utmost importance to the Irish people, and I can assure the Government that directly the Scotch part of the question has come to an end the Irish Question will begin. I would suggest that if we are to continue this Debate someone should be asked to take your place, Sir.

(239.) MR. T. M. HEALY: Supposing the Motion is withdrawn, and we go on with business, will the Government give us a guarantee that, if we sit—although we may astonish the country—from now until Thursday next, we shall be allowed to go on with the discussion, and shall not be closed? I am quite prepared to go on with the Debate, but would propose a short adjournment for a half-hour for refreshments. If the Government take a strong view on the matter, and insist on having their way, I am quite prepared to sit up all night. I understand the subject so thoroughly that I am quite prepared to discuss it now and always.

(242.) MR. T. HARRINGTON (Dublin, Harbour): I have not yet had an opportunity of speaking on this measure. I would dissociate myself from the spirit of the remarks of the hon. Member for Aberdeen, that we have been making an appeal to the Government. For my part, I would not be a party to making an appeal to the Government; I would ask them to look at themselves as others see them, and they will be surprised at the sorry figure they cut. The First Lord of the Treasury has gone home, and the Chancellor of the Exchequer seems anxious to make as peddling a bargain as ever took place over an emergency pig in Ireland. We repudiate all these bargains, and would impress upon the Government that it would redound to their credit if they accepted this reasonable Motion, and agreed to report Progress. If they do not do that, let them agree to sit continuously until the end of the week, without an adjournment. I would say to the Government, as a friend, speaking on the Irish question from an Irish point of view, said—

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it does not become evident that much has to be said on the question from the point of view of the English Members. As an English Representative myself, I shall have no hesitation in adding my quota to the discussion on this clause when we get to it. I am perfectly ready to give the Chancellor of the Exchequer this assurance, that, as far as I am personally concerned, I will confine myself to the discussion of every clause of this Bill only as fully, and fairly, and intelligently as my limited capacity will enable me, and my duty to my constituents will require me.

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discussion of an important Scotch question at 3 o'clock in the morning. I claim that Scotland has a right to a fair share of the time of the House, and to have her business discussed at reasonable hours, and I leave the Committee to judge whether 1, or 2, or 3 o'clock in the morning is a reasonable hour to begin a discussion of this kind. By this Bill the Government are taking from Scotland £60,000 a year. Is it reasonable or fair that such a Bill should be debated at this hour? If the Chancellor of the Exchequer wishes to go to war with the Scotch Members he is taking the right course; but, as far as I am concerned, under no consideration would I degrade myself by making any promise whatever to him.

(2.53.) CAPTAIN VERNEY (Bucks, N.): I agree that this is not altogether an Irish or a Scotch question; it affects every English Member, and it affects everyone who cares for the honour and dignity of the House, and who does not wish to have the House of Commons exposed to ridicule by absurd and preposterous proceedings. There must be a means of bringing this wrangle to a reasonable and honourable conclusion. The Government have had from this side every assurance that can possibly be given that an endeavour will be made to prevent protracted Debate on succeeding stages. The Chancellor of the Exchequer has suggested that assurances should be given to him from other quarters. Surely that is hardly desirable; we do not want to recognise a vast variety of different sections in this House. There will be no end to it if we do. The leaders of sections in this House are not responsible as are leaders sitting on the Front Benches. As for the Front Opposition Benches the country looks to them to do their duty quite as much as hon. Gentlemen sitting on the Front Ministerial Bench. I maintain that they are doing their duty to-night, but that while they are responsible the leaders of sections below the Gangway are not responsible. Seeing that the right hon. Gentleman the Chancellor of the Exchequer has received such friendly assurances from this side of the House, even if he thinks he is making sacrifices, I would urge him to accept the proposals

*Mr. Hunter*

made. He should not be too rigid in this matter—someone must give way on one other side or the other, and it seems to me that that desire is very strong on both sides of the House. I hope the right hon. Gentleman will devise some means of extracting us from our present difficulty.

(2.59.) DR. FITZGERALD (Longford, S.): On sanitary grounds I would appeal to the Chancellor of the Exchequer and to hon. Gentlemen on both sides to bring this unseemly wrangle to a conclusion—I say on sanitary grounds, for I see a Member sitting behind the Chancellor of the Exchequer in a thoroughly collapsed condition. The fact is that we have been bamboozled into passing the 5th clause. I could have discussed the question of chloroform for two and a half hours; and if the right hon. Gentleman forces us to discuss this clause now I will find some means of slipping the chloroform into the spirits, because I do not think the 5th clause has been adequately discussed. The Government are endeavouring to rob Ireland at 3 in the morning, but we do not mean to be robbed. We simply want to discuss these important clauses to-morrow or the day after, or the day after that, because we do not want to go for a holiday at all. We have been sent here to do the business of the country, and it appears to me that it is the business of the *Times* newspaper that the Government are doing. The sooner we proceed to business the better.

(3.2.) DR. TANNER: There is no doubt in the world that the Government has entered into what is known in Ireland as a criminal conspiracy—

MR. CHANCELLOR of the EXCHEQUER rose in his place, and claimed to move "That the Question be now put."

Question put, "That the Question be now put."

(3.3.) The Committee divided:—Ayes 167; Noes 107.—(Div List, No. 98.)

Question put accordingly, "That the Chairman do report Progress, and ask leave to sit again."

(3.15.) The Committee divided:—Ayes 107; Noes 167.—(Div List, No. 99.)

(3.24.) COLONEL NOLAN: I wish to ask the Chancellor of the Exchequer whether he thinks it will conduce to his character as Chancellor of the Exchequer to pass the most important part of his Budget scheme after having silenced those who represent the majority of the people? I would also ask him whether he has any regard for his own health or that of other men's? I beg to move, Sir, that you do now leave the Chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Colonel Nolan.*)

(3.25.) SIR W. HARCOURT: I would really ask the Chancellor of the Exchequer whether he has not carried this lesson in Home Rule for Scotland and Ireland far enough? For a first lesson, I think this is sufficient to show what is the time of night at which the Parliament of Westminster thinks fit to do the business of Scotland and Ireland. The assertion of principle the Chancellor of the Exchequer desired to make has now been made, and I do not think it will be advanced any further by sitting for three or four hours more. I think this measure for the endowment of the publicans ought to be resisted in every possible way. He has resolved to carry it, and we are resolved, if we can, to prevent his carrying it. We believe we are supported by the majority of the country. That is a matter of opinion; but it is a matter you can decide. If you would like that decision, the sooner you invite it the better. In the meanwhile we are satisfied and convinced that in resisting your legislation we are supported by the majority of the country. That being so, the only question is how many days and nights the right hon. Gentleman chooses to proceed? I should have thought he had done enough to-night. If that is so, let us go in and discuss the matter to-morrow in a reasonable way. Would it be possible for anybody to state now his case on this clause in a manner which would be reasonably satisfactory to the country? I am sure the Chancellor of the Exchequer must feel that, and, therefore, I cannot understand what advantage he can hope to gain by continuing the contest to-night.

(3.26.) THE MARQUESS OF HARTINGTON: Perhaps the Committee will allow me to support the appeal made to the Government by the right hon. Gentleman the Member for Derby. I do not do it precisely on the same grounds; but I do it from another, and, I think, a sufficient ground. You, Mr. Courtney, have, in the exercise of your discretion, allowed, I think, several—I do not know whether three or four—dilatory Motions to be put in succession.

MR. T. P. O'CONNOR: Mr. Courtney, I rise to order. I wish to ask you whether it is in order for the noble Marquess to cast aspersions upon your conduct?

THE CHAIRMAN: I do not understand he has done so.

THE MARQUESS OF HARTINGTON: Nothing was further from my intention than to cast any aspersion. I am not certain whether a dilatory Motion is a proper term; but a Motion to report Progress, or that the Chairman do leave the Chair, is generally known by the name of a dilatory Motion. It is entirely within the discretion of the Chairman to refuse to allow such a Motion to be put, and it is within his power to allow such a Motion, without in the smallest degree questioning the motive which actuated it. But I was saying that you, Sir, have permitted these Motions to be put, and it is probable, as time becomes more and more inopportune for the discussion of serious matters, you will continue to allow them. That being the case, the probability is we shall only spend two or three hours more in discussing Motions of this kind, and not come any nearer the discussion of the clause. In these circumstances, and also considering that there is still a large amount of time at the disposal of the Committee to consider the further clauses of the Bill before the holidays, I hope that the Government will not think it necessary to push matters to an extremity this evening, and that, if necessary, they will postpone the all-night conflict to another occasion.

(3.31.) MR. GOSCHEN: Two appeals have been made to the Government. The right hon. Member for Derby asks how the Government expect



to carry their Licensing Bill or this Bill. The Government do intend to carry their Bills, and if they cannot pass them to-night, they will pass them later.

MR. T. M. HEALY: No threats. That is for the House. The House of Commons will carry them; not you.

MR. GOSCHEN: That is rather a technical interruption. The House of Commons will pass them.

MR. T. P. O'CONNOR: We shall see.

MR. GOSCHEN: Those interruptions are scarcely fair.

THE CHAIRMAN: I do beg hon. Members to restrain themselves. All those interruptions are quite unnecessary.

MR. GOSCHEN: In answer to the appeal of the right hon. Member for Derby, I say that, whatever may happen to-night, we are absolutely determined to carry the Bills, and we are not weakened by one whit on account of the opposition offered to this Bill. The right hon. Gentleman speaks of the country; we, too, shall leave the country to judge. We shall see whether they approve such proceedings. I have been silent while I have heard repeated over and over again the statement that the length of the speeches has been extremely moderate. In the earlier part of the evening there was repetition after repetition. Argument after argument was repeated again and again, and certainly if every point is to be discussed at the same interminable length at which some points were discussed this evening, we shall never arrive at the end of our discussions.

DR. TANNER: Keep your temper.

MR. GOSCHEN: My noble Friend made a very different kind of appeal, which the Government must consider with a desire to meet it. My noble Friend explained how dilatory Motion after dilatory Motion has been put from the Chair, and how it has been impossible to arrive at the substance of the discussion. The country will mark those dilatory Motions, and the manner in

*Mr. Goschen*

which they have avowedly been made, and we are not in the slightest degree afraid. On the contrary, we are glad to be able to mark them; but after the appeal which has been made we assent now to report Progress.

Motion, by leave, withdrawn.

Committee report Progress; to sit again to-morrow (Tuesday) at Two of the clock.

#### ORCHARDS RATING EXEMPTION

BILL.—(No. 177.)

Bill considered in Committee.

(In the Committee.)

Clause 1.

Objection being taken to Further Proceeding, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again upon Wednesday 11th June.

#### TREES (IRELAND) BILL.—(No. 70.)

Bill considered in Committee.

(In the Committee.)

Clause 2.

Committee report Progress; to sit again to-morrow (Tuesday) at Two of the clock.

#### NEW LICENCES (IRELAND) BILL.

(No. 249.)

Bill considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again to-morrow (Tuesday.)

#### PAUPER LUNATIC ASYLUMS (IRELAND) (OFFICERS' SUPERANNUATION)

BILL.—(No. 140.)

Bill considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again to-morrow (Tuesday.)

House adjourned at five minutes before  
Four o'clock in the morning.

HOUSE OF LORDS,

*Tuesday, 20th May, 1890.*

INDUSTRIAL SCHOOLS BILL—(No. 85.)

House in Committee (on Re-commitment) (according to order).

\***LORD STANLEY OF ALDERLEY**: My Lords, before this Bill goes into Committee I wish to ask my noble Friend the Secretary of State for India whether he has taken into consideration the Petition of the Salford School Board in reference to it. I am told that their Petition was very reasonable, and I would refer him particularly to Clause 5, which represents the undesirableness of placing juvenile offenders under the police. The other point to which I wish to call attention is that offenders sent to day Industrial Schools should be detained there for three years as in the case of Truant Schools; they say that detention there for one year is not sufficient to make the desired improvement in offenders.

\***THE SECRETARY OF STATE FOR INDIA** (Viscount Cross): With reference to the Petition from the Salford School Board it has been presented to your Lordships' House, and is now, I believe, on the Table. A copy of it has been forwarded to the Secretary of State for the Home Department, who, I have no doubt, will give me his views as soon as he has considered it. I will put down the Third Reading of the Bill for the 12th June, and I may say that for the same date I shall put down for Third Reading the Juvenile Offenders Bill and the Reformatory Schools Bill.

Bill reported without further amendment, and to be read 3<sup>a</sup> on Thursday the 12th of June next.

REFORMATORY SCHOOLS BILL.

(No. 95.)

JUVENILE OFFENDER'S BILL

*now*

YOUTHFUL OFFENDERS BILL.

(No. 96.)

Reported from the Standing Committee for Bills relating to Law, &c., with amendments: The Report thereof received; Bills re-committed to a Committee of the whole House on Thursday next; and to be printed as amended.

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CHILDREN'S LIFE INSURANCE BILL.

A Bill to amend the law relating to insurances on the lives of children—Was presented by the Lord Bishop of Peterborough; read 1<sup>a</sup>; to be printed; and to be read 2<sup>a</sup> on Tuesday, the 10th of June next. (No. 97.)

CUSTODY OF CHILDREN BILL.

A Bill to amend the law relating to the custody of children—Was presented by the Lord Chancellor; read 1<sup>a</sup>, to be printed, and to be read 2<sup>a</sup> on the first sitting day after the recess at Whitsuntide (No. 98.)

MUNICIPAL FRANCHISE EXTENSION (IRELAND) BILL.—(No. 74.)

SECOND READING.

Order of the Day for the Second Reading read.

\***LORD DENMAN**: My Lords, I have postponed moving the Second Reading of this Bill until to-day, as there was some delay in the printing of it, and I very nearly had a somewhat similar Bill thrown out on a former occasion on account of its not being in the hands of Members of the House. This Bill is drafted from a small Local Government Bill for Belfast. Before the time of the introduction of that measure, there was, I believe, a system of cumulative voting. People had not in that part of the Kingdom rights such as are possessed in England, and the Earl of Erne introduced into that Bill a clause that women should count in the same proportion as men as voters. That measure was passed. If the Bill which I have now laid before your Lordships were carried the women would have more votes than the men, but that is very far from my wish in this or in any proposal I have ever made for extending the franchise to women. Your Lordships remember the play of Aristophanes, in which the women robbed the men of their clothes, appeared in them, and outvoted their husbands, and the poor men were left to put on the women's clothes. I do not wish the women to have any undue advantages. I only contend that this is a measure of justice. As the Duke of Buckingham said to me on presenting my Bill applying to women, "It is a step in the right direction, but the country is not yet ripe for woman suffrage." The principle of this Bill has, I believe, been the foundation of the Local Government Bill of England—the right of voting

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given to women both in England and in Scotland is founded upon this small, piece meal measure. As ratepayers, they have as much right to vote as men. I find that the right to vote extended to married women in Scotland is not exercised by them, and that very little enthusiasm has been excited amongst them at the possession of that right. My Lords, if you pass this Bill you can do no injury to anyone. I would urge your Lordships to do away with prejudice and grant the Bill a Second Reading, as an innocent measure, a small instalment of justice, and something of which you may be proud rather than ashamed. We have great facilities for bringing forward and passing measures in this House; whereas in the other House of Parliament, where I am told there is a similar Bill pending at the present time, there are great and constant obstacles.

Moved, "That the Bill be now read 2<sup>a</sup>."

THE LORD PRIVY SEAL (Earl CADOGAN): My Lords, in the somewhat general observations which the noble Lord has addressed to the House he did not say much—hardly anything at all—about the Bill he has introduced, or the clauses it contains. I think it would probably be in accordance with the wish of the House, and probably of the noble Earl himself, that I should implicitly follow his example. As far as I have seen, the Bill is almost identical with that which he introduced last year. I told him on that occasion that his method was merely fragmentary, dealing with but a small though, perhaps, not unimportant portion of the much larger subject of the Municipal Franchise in Ireland, and I also told him that the subject was not one which could be dealt with in a Bill of the character introduced by the noble Lord. I have nothing to add to the answer I gave on that occasion, and I am afraid I am under the painful necessity of again moving the rejection of this Bill. I move that the House read this Bill a second time this day six months.

Amendment moved to leave out ("now") and add at the end of the Motion ("this day six months") (The Lord Privy Seal [*E Cadogan*]): On  
*Lord Denman*

question that ("now") stand part of the Motion, resolved in the negative: Bill to be read 2<sup>a</sup> this day six months.

#### SUCK RIVER DRAINAGE (PROVISION OF FUNDS) BILL.—(No. 92.)

##### SECOND READING.

Order of the Day for the Second Reading read.

EARL CADOGAN: My Lords, this Bill is one of a sort which is commonly known as Money Bills, and I need not therefore trouble your Lordships with the details of it. I may state generally that it is for the purpose of assisting the drainage of a large district in the counties of Galway and Roscommon. The Drainage Board was established in 1878, and under the powers which they then took they were not enabled then to entirely complete the system of drainage which it was proposed to establish. Since then they have found that if further funds were not granted all the monies which had been expended would be wasted. Therefore the object of the present Bill is to provide additional funds, partly as a free grant and partly as a loan from the Board of Works. A Private Bill had been introduced upon the subject; but as it was not thought right to make a free grant of public funds under a Private Bill it was found necessary to draft the present Bill in order to enable the Treasury to grant the £50,000. I beg to move the Second Reading of the Bill.

Bill read 2<sup>a</sup> (according to order), and committed to a Committee of the Whole House on Thursday next.

#### "CITY OF PARIS" S.S. ACCIDENT.

##### QUESTION—OBSERVATIONS.

LORD NORTON: The noble Earl de la Warr, being obliged to leave the House, has asked me to put the question of which he has given notice, whether it is the intention of Her Majesty's Government that the inquiry into the case of the steamship "*City of Paris*" should be held in open Court to which the public will be admitted?

\*THE SECRETARY TO THE BOARD OF TRADE (Lord BALFOUR OF BURLEIGH): My Lords, I gave the noble Earl an assurance in private that the usual course will be followed, so that this

inquiry would be held in open Court to which the public will be admitted. I should like to add that the inquiry cannot be commenced until after the middle of next month, because some of the material witnesses will not have returned from their present voyage until that time; but I may state that no unnecessary delay shall take place.

#### THE SUPPRESSION OF PUBLIC HOUSES.

##### QUESTION—OBSERVATIONS.

\***VISCOUNT BARRINGTON:** My Lords, in rising to ask the question of which I have given notice, first let me crave the greatest measure of forbearance and indulgence which your Lordships always grant to Members of your House who address you for the first time. I trust that you will think there is sufficient importance in the question to justify me in trespassing upon your time and attention for a few minutes. There is no question but that at the present time people's minds are very much exercised with regard to the licensing question. It is generally assumed and asserted that there are far too many public houses in the country. The deduction drawn from that is that there is greater encouragement to drinking habits, and a larger amount of drink consumed than would otherwise be the case. Now, to both proposition and deduction I very much demur. I can give the result of my experience as a Magistrate of Buckinghamshire. For many years before I had the honour of sitting in your Lordships' House I found it necessary from circumstances to live almost entirely in the country; since that time, from other circumstances, that it is almost essential I should live in London. For 30 years, or thereabouts, I lived in Buckinghamshire, and during the whole of that time, I think I may say, I was a tolerably active Magistrate in the county. I acted for many years as Chairman of our Petty Sessions, and I served on most of the County Committees, especially on the Licensing Committee. I recollect, and it will also be fresh in your Lordships' recollection, for it was not many years ago, Sir William Harcourt, when Secretary of State for the Home Department, fulminated certain thunders against the County Magistrates, saying that it

was in consequence of their granting new licences annually to the various public houses established that drunkenness went on to the extent it did in the country. Well, my Lords, at the first meeting of our Licensing Committee we discussed that question very carefully. I may say there were present men whom you all recollect: the Duke of Buckingham, then and formerly your Chairman of Committees, and Lord Cottesloe, a man of the highest judicial character, and I may say that at that time he was nearly a total abstainer. I know it was very much against his family's wishes that he should be so, and I think he was advised eventually by his doctor to drink a little, for very much the same reason that Paul said to Timothy, "Drink a little wine for thy stomach's sake." We considered the number of houses and the class of houses, and we were of one opinion, that there were a good many houses in the county doing very little business indeed, and that if they were only let alone they would die a natural death from inanition; but with regard to houses which might be said to be doing a profitable business, we came to an almost unanimous conclusion that if we suppressed some of the houses we should only be adding to the value of those remaining, and that the quantity of drink consumed would not be lessened. Now, I think that opinion was a fair and just one. We were also of opinion that the custom which had prevailed for so many years, of renewing the licences where there was no complaint against the houses, could not be broken without doing gross injustice to the proprietors. Then I asked our police superintendent what he thought of the matter, and his reply was, "Well, you see, sir, there are men who drink, and who will have drink, and if you shut up the 'White Lion' they will go to the 'Red Lion';" and he said that in the view of the police it was certainly much better for the benefit of the public that the drinkers should be distributed in small numbers about the towns rather than that they should be collected together in a few places. I also consulted upon the matter a clergyman, whom I congratulated upon having no public house in his parish, and he said, "Well, I don't know about that; I know I have a good many drinking

people in my parish who will go out and get drunk somewhere and who get very drunk indeed." A good deal of argument has been based upon the temptation offered to the working-man. Some people are always thinking about working-men and making proposals for their regulation and guidance; but I think they might be allowed to think and act a little for themselves. It is said of the working-man, who is always paraded on these occasions, that he is so weak in character that he cannot resist so much temptation, that he may perhaps struggle to pass one or two public houses, but when he comes to the third he can resist no longer, but must go in and quench his thirst with potent libations of intoxicating liquors. On the other hand, it is said that the public house is the working-man's club, and, in that regard, I have sometimes tried mentally to put myself in the place of the working-man. Probably many of your Lordships belong to not one club alone, but to several. I do not know that your Lordships are affected by that circumstance; but I can say for myself that I do not feel any inclination to go in and drink whenever I pass one of the clubs in London; nor do I suppose that the spiritual Lords, when they ascend the classic steps of the Athenæum, feel any necessity to consume spirituous liquors. But, my Lords, I think it is impossible for us to put ourselves in the place of the working-man in this matter, for the temptation, however it may appear to us, is limited with them by the necessities of their employment and means. Though not a total abstainer myself, I yield to no man in the desire to promote habits of temperance and sobriety among my fellow-countrymen. I am asking this question of Her Majesty's Government both for my own guidance and for that of the County Council of which I have the honour of being a member, and which will probably before long have to deal with these matters. My Lords, I heartily endorse the principle of compensation as followed in the Compensation Clauses of the Bill before the other House of Parliament; for I consider that, if it is necessary to close a house which has hitherto been well conducted, it is only fair that the owner of the licence should receive proper compensation. I cannot help

*Viscount Barrington*

thinking that the craving for drink which seems to be ingrained in the habits of sections of the people cannot be combatted by Act of Parliament, but that it can only be combatted by the force of example, persuasion, and public opinion. I will state, before asking the Government for an answer to the question which I have placed on the Notice Paper, that I have received a communication, and have also read to-day in the *Times* a most interesting letter, from the President of the Local Government Board (Mr. Ritchie), to the effect that County Councils are by no means compelled, if these powers of compensation are given to the County Councils, to put them into force, or to use the money which they would receive from the State for the purpose of buying up licences if they do not feel so inclined. That, I think, is extremely satisfactory; but it does not, of course, afford an answer to the question which I am asking. I have just received another letter which is illustrative of the kind of argument used by some very well-meaning people. It is from a lady, and she says, that having read that I intended asking a question in Parliament upon the subject of whether drinking is greater where the number of public houses is largest, she wishes to mention what one of the greatest drinkers in her neighbourhood had said to her, namely, that he wished most of the public houses were closed, as he and others were too weak to resist so much temptation, as in that district there was a public house at almost every corner of the streets; and she adds—

"It is the working classes who see and feel the evil of drunkenness, and who would hail any action which would reduce that evil."

That is a class of argument which is very much used, and which I confess I do not altogether hold with. But, my Lords, I will refer to another letter which I have received from the Chief Constable of Chester. It is very interesting indeed. He sends me printed statistics of what was the state of drunkenness in England in 1875. These statistics are very remarkable. It appears that the cases of drunkenness in Durham were 16,700, or equal to 1 in 41 of the population. In Essex they were only 464, or equal to

1 in 961. Those are the two extremes throughout England. Now as regards the number of public houses, Durham by no means stands at the head of the list. It stands 7th or 10th only. There is there one public house to every 210 of the population. In Essex there is one public house to every 160 of the population. That seems a very high average, and the numbers range from Cornwall where there is one public house to every 360 of the population down to Huntingdon where there is one in 104. At the end is appended this note—

“In comparing the two lists it will be found that it by no means follows, as is popularly supposed, that drunkenness increases with the number of public houses in a district.”

My Lords, I adopt that statement, and venture to say that it does not appear to me to at all follow that that is the case; and I have only now to put the question to Her Majesty's Government, whether they are in possession of reliable statistics tending to prove that the amount of intemperance in districts under reasonably similar conditions varies in an approximate ratio according to the number of licensed houses in those districts?

\***LORD DE RAMSEY** : My Lords, the information which is at our disposal I most willingly give to the noble Viscount. I only wish it had been carried up to a more recent date than it is. I entirely agree with those concluding words, that as far as any information on the subject goes there is nothing to prove that where there is a large number of licensed public houses there is a proportionately greater amount of intemperance. Unfortunately our Returns do not quite tally in regard to date. The first part of the noble Lord's question is in regard to the extent of intemperance. Upon that head the Return, which is called the Drunkenness Convictions, is only up to 1889, and includes the years from 1885 inclusive. It extends down to the 29th July, 1889, but the figures for the remainder of the year are not yet collected. The second part of the noble Viscount's question has reference to the Intoxicating Liquors (Licences) Return. That is made up to March, 1890, and, therefore, it is rather difficult to compare the

two Returns. I think, however, if the noble Viscount will place one beside the other he will be able to obtain approximately the information he requires in regard to any particular district he may be interested in. The number of convictions for drunkenness appears to be really the only available test that we have of the amount of intemperance in any specified districts. Taking those two Returns together, the ratio of the amount of drunkenness to the number of licensed houses in counties and boroughs can be calculated in the way I have suggested, allowing for the difference in the dates. There is, however, a second difficulty which I must mention to the noble Viscount. One of the Returns is compiled from the areas of the Petty Sessional Divisions, and the other from the Police Districts. I have no doubt, though I have no reason for saying so, that the noble Viscount had in his mind in asking the question that the information might, perhaps, assist the Committees of the County Councils if they should have to deal with proposals which the Government hope to pass into law. If that is so, I am exceedingly grateful to the noble Viscount for putting the question; and I may say that being myself a County Councillor I have for my own information drawn out a few test cases from these two Returns which, if the noble Viscount desires, I shall be glad to show him and confer with him upon.

**THE EARL OF KIMBERLEY** : I think we are indebted to the noble Viscount for moving for these Returns, which will, no doubt, be found very interesting. But I think it will be found very difficult to draw any conclusion from them. The Committee upon the Temperance Question, on which I sat some years ago, had the whole subject before it; and if there was one thing more than another of which we were fully convinced it was that there was nothing to show a ratio of proportion between the number of public houses in a district and the amount of drunkenness existing there. In the first place, the convictions are not a certain guide, because their number depends upon the practice of the Magistrates and the vigilance of the police in the particular districts. It also appeared to us that there was something to be taken

into consideration in regard to climate and latitude, or the health and habits of the people. It appeared clear that as you go North the amount of drunkenness increases—that a line could be drawn across England North of which the drunkenness was far greater than to the South, notwithstanding that other conditions appeared to be the same. I will take the case of the large ports in the North. As a rule, there is a much greater amount of drunkenness in those places than in the large ports in the South. But there, again, you must know the habits of the population before you can draw any conclusion. Certainly there have been some remarkable statistics, showing that although the number of public houses may be large the number of convictions for drunkenness may be small. In my own district in the town of Norwich there was shown to be a larger number of places for drinking in proportion to the population than in most other towns in England, and the convictions were fewer than in most other towns. But I am afraid we must not conclude from that that there was a great absence of drunkenness in Norwich. I only mention that to show how singular these statistics are. I think that might be a useful subject of consideration upon this interesting question in deciding the weight to be attributed to arguments which may be advanced before coming to any conclusion upon the matter.

#### MERCHANT SHIPPING ACTS AMENDMENT BILL.—(No. 57.)

Amendments (on Re-commitment) reported (according to order); and Bill to be read 3<sup>d</sup> on Thursday next.

#### SETTLED LAND BILL.

A Bill to amend the Settled Land Acts, 1882 to 1889—Was presented by the Lord Herschell; read 1<sup>st</sup>; and to be printed. (No. 99.)

House adjourned at half past Six o'clock, to Thursday next, a quarter past Ten o'clock.

*The Earl of Kimberley*

## HOUSE OF COMMONS,

*Tuesday, 20th May, 1890.*

The House met at Two of the clock.

### PROVISIONAL ORDER BILL.

#### LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 2) BILL.

##### SECOND READING.

Order for Second Reading read.

Mr. CHANNING (Northampton, E.): I have given notice of my intention to move the rejection of this Bill.

\*Mr. SPEAKER: Then it will be put down for to-morrow.

Mr. BRADLAUGH (Northampton): I trust that it will not be taken to-morrow. I intend to oppose the Second Reading; but I shall be unable to be present to-morrow, as I am engaged upon a Royal Commission.

\*Mr. SPEAKER: As it is opposed it is necessary, in accordance with the Standing Orders, that it shall be put down for to-morrow; but the Second Reading can, by arrangement, be deferred until a later day.

Mr. BRADLAUGH: Upon that understanding I have nothing more to say.

\*Mr. SPEAKER: By the Standing Orders, objection being taken, it must go down for the next day.

Mr. BRADLAUGH: I do not know whether the President of the Board of Trade has charge of the Bill or not; but I hope it will not be taken to-morrow. I have a special objection to urge against the Bill, on account of the way in which it deals with the Scilly Islands, and especially with the matter of market rights and tolls, upon which a Royal Commission has been sitting, which will report in a very short time.

\*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): It will not be taken to-morrow; I will put it down for this day fortnight; and, in the meantime, I shall be glad to communicate with the hon. Member.

Mr. CONYBEARE (Cornwall, Cambridge): I have the strongest possible objection to this Bill on other grounds than those which have been mentioned

by the hon. Member for Northampton (Mr. Bradlaugh). I shall certainly offer it the strongest possible objection unless it is considerably altered.

\*MR. SPEAKER: Order, order! The question cannot be discussed now.

\*SIR M. HICKS BEACH: I will put it down for this day fortnight.

Second Reading postponed until June 3rd.

### QUESTIONS.

#### CAPITAL SENTENCES IN SCOTLAND.

DR. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether it is true that the Magistrates of Glasgow have been required to make arrangements for carrying into effect the death sentence passed on John Finlay, for a murder committed in Kirkintilloch, entirely outside of their jurisdiction; and whether, taking into consideration the extremely repulsive nature of such a duty, and the fact that it has only recently been imposed on the Magistrates of the larger towns in Scotland in the case of crimes committed outside of their jurisdiction, through the closing of a number of county prisons, the Government will consider the propriety of altering the present rule, either by re-imposing the responsibility for carrying out capital sentences on the Magistrates in whose jurisdiction the crimes have been committed, or by imposing the duty of arranging for all executions upon some Government officer?

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): It is unnecessary for me to answer the first part of the question, as the sentence passed on Finlay has been commuted to penal servitude. As regards the second part of the question, it is impossible in all cases to provide that the Magistrates in whose jurisdiction crimes have been committed should make arrangements for an execution; and where there is no prison within a district in which a murder has been committed, the responsibility in respect of prisoners under sentence of death must rest with the Magistrates in whose jurisdiction the prison is in where the convict is confined. It is not proposed to alter the prison rule.

\*DR. CAMERON: As the responsibility is felt to be a great hardship I beg to give notice that I will take an early opportunity of calling attention to the subject.

#### THE INTERNATIONAL TELEGRAPHIC CONFERENCE.

MR. MATHER (Lancashire, S.E., Gorton): I beg to ask the Postmaster General whether it is correct, as announced in the *Manchester Courier* of the 13th instant, that it has been arranged that a motion fixing an international telegraphic tariff at 12½ centimes, or rather more than 1d. a word, shall be brought before the International Telegraphic Conference, which commenced its sitting last week at Paris, and that the motion will have the support of the English Representatives; and if correct, and the Conference should adopt the motion, will he endeavour to arrange with the respective Governments that the same rate of 12½ centimes should also extend to Denmark and Russia, as those countries are not members of the International Telegraphic Congress, and would not be affected by its decision?

\*THE POSTMASTER GENERAL (MR. RAIKES, University of Cambridge): I do not feel myself at liberty to disclose the proposals which have been brought forward for discussion at the International Telegraph Conference by the Representatives of the Governments; such a course would be unusual. Both Denmark and Russia are members of the International Telegraph Union, and are represented at the Conference; and they will, therefore, be affected by the decisions arrived at. I may mention that the charges for telegrams from this country to France, Belgium, Holland, and Germany were only lately reduced to a uniform rate of 2d. per word with a minimum of 10d.; and I may assure the hon. Member that it is certainly my desire that the Representatives of this country should endeavour to bring about such further reductions in other directions as, having regard to the interests of all the parties concerned, seem to be called for.

#### AIRDRIE LICENSING COURT.

DR. CAMERON: I beg to ask the Lord Advocate whether it is true that, at a recent Licensing Court for the



Airdrie District of Lanarkshire, Sheriff-Substitute Mair acted as Chairman, and, in the case of an equal vote for and against granting a new public house licence at Swinton, gave his casting vote in favour of its grant; whether it is true that, when the new certificate came before the Licensing Committee on the 2nd instant for confirmation, Sheriff Mair was present, and spoke in support of the application; whether Sheriff Mair is a member of the Licensing Committee of the district; and whether it is customary for Sheriffs, or Sheriff-Substitutes, to sit as Judges *ex officio* in Licensing Courts in Scotland, or to interfere at confirming Courts?

MR. J. P. B. ROBERTSON: It is the case that Sheriff-Substitute Mair was Chairman of a recent Licensing Court at Airdrie, having been voted to take the chair by the other Justices. He gave a deliberative, and not a casting vote on the question of the licence at Swinton. It is not the case that Sheriff Mair spoke in support of the application before the Licensing Committee, but merely corrected an erroneous statement that was made of what took place before the Court of which he was Chairman. There is, so far as I am aware, no doubt that Sheriffs and Sheriff-Substitutes are entitled to sit in these Courts; and I am informed that, though it may not be the universal practice, it frequently happens that these officials do sit in the Licensing Courts.

#### FOOT-AND-MOUTH DISEASE.

MR. C. DARLING (Deptford): I beg to ask the President of the Board of Agriculture whether any case of foot-and-mouth disease has occurred in Schleswig-Holstein since 17th April last; whether those Duchies have been since then officially declared free from foot-and-mouth disease; and whether it is the intention of the Board of Agriculture now to redeem the promise given last year by Lord Salisbury, and to permit the importation of cattle from Schleswig-Holstein?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (MR. CHAPLIN, Lincolnshire, Sleaford): The last case of foot-and-mouth disease reported to the Department was on April 6, and it is true that the Province of Schleswig-Holstein was declared free on April 23, rather

*Dr. Cameron*

less than a month ago. I may remind the hon. Gentleman that a similar declaration was made in August last which was followed by a fresh introduction of disease into Schleswig-Holstein in March of this year, of which we did not receive notice until several days after the outbreak. Foot-and-mouth disease, I regret to say, prevails extensively in Germany at the present time, and at no great distance from the Schleswig-Holstein frontier; and the fact that that Province was declared free on April 23 does not afford any guarantee that it may not be again re-introduced at any moment as it was in the spring within the limits of that Province. Under these circumstances, and taking into consideration the prevalence of the disease in Germany, it would be impossible, in my opinion, to permit the importation of live animals from Schleswig-Holstein at present with any regard to the precautions which it is my duty to take against the introduction of disease. I may add that the statements referred to on the part of Lord Salisbury were made under circumstances which were wholly different from the circumstances of the present time.

#### POSTAL FACILITIES IN LANCASHIRE.

MR. HOYLE (Lancashire, S.E., Heywood): I beg to ask the Postmaster General if his attention has been called to a statement that a letter addressed to a resident in Edenfield, Lancashire, and posted in Manchester on Saturday the 19th April, did not reach its address until 44 hours after the letter was posted; and, if so, whether he can see his way to provide the increased postal facilities for which the inhabitants of Edenfield have petitioned the Department?

\*MR. RAIKES: My attention has not been called to the particular instance of delay to which the hon. Member refers; but I sanctioned arrangements for the improvement of the postal service at Edenfield some months ago, and quite recently I have authorised an extension of the evening delivery there. The arrangements now appear to be quite satisfactory.

#### ACCIDENTS IN COLLIERIES.

MR. DAVID THOMAS (Merthyr Tydvil): I beg to ask the Secretary of State for the Home Department whether

it is the case, as has been alleged, that fatal accidents on the last of the nine hours work per day in many Welsh collieries are 100 per cent. in excess of the fatal accidents during the whole of the remaining eight hours; whether he has any reason to believe that fatal accidents are at all more numerous in the last hour of a nine hour shift than they are in any other hour of the shift, or than they would be in the last hour of an eight hour shift in the same district; and if he will grant a Return showing for the years 1888 and 1889 at what hour of employment of persons killed in collieries underground the accidents which resulted in their deaths happened?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The Inspector for the district informs me that the statements in the first two paragraphs of the question are not correct. In 1889 out of 126 fatal accidents it appears that 12 occurred in the first hour, nine in the second, 14 in the third, 18 in the fourth, 17 in the fifth, nine in the sixth, 12 in the seventh, nine in the eighth, 18 in the ninth, seven in the tenth, and one in the 11th. I have no reason to believe that it is the fact that the last hour of a shift is accompanied by more danger to life than any other hour of the employment. I will inquire whether it is possible to give generally the information asked for in the last paragraph of the question, and if it is I will direct the Inspectors to include it in their Annual Reports.

MR. BRUNNER (Cheshire, Northwich): May I ask whether the right hon. Gentleman is aware that so few miners work into the 11th hour that the Return is misleading without that explanation?

MR. MATTHEWS: I have given the figures as they have been given to me.

MR. BRUNNER: Will the right hon. Gentleman kindly make inquiry?

MR. DAVID THOMAS: I beg to ask the Secretary of State for the Home Department whether the deaths resulting from miscellaneous underground accidents in coal mines are annually from two to three times as numerous in the South Wales district as in the Newcastle district, although the number of persons employed is only fractionally greater;

whether his attention has been drawn to the following statement made by the Inspector of the South Wales district, in his Report for 1887, in reference to fatalities arising from miscellaneous accidents underground:—

“I am thoroughly convinced that the number could be sensibly reduced by the enforcement of stricter discipline;”

and what steps, if any, have been taken since 1887 to enforce stricter discipline?

MR. MATTHEWS: The deaths resulting from miscellaneous underground accidents in South Wales are rather more than twice as numerous as compared with those occurring in the Newcastle district; but the number of persons employed in South Wales is 30 per cent. more than in the Newcastle district. I am informed by the Inspector that his observations with regard to the fatalities had reference to the better enforcement of the special rules by colliery officials, and that he takes every opportunity of calling the attention of owners and managers to their responsibilities under the Act of Parliament, and of urging them to use the powers given them by law to enforce a strict observance of the special rules. The Inspector has, whenever he could procure evidence, instituted prosecutions against owners and managers for not enforcing the observance of the general rules.

THE LATE GENERAL SIR WILLIAM JONES.

SIR EDWARD WATKIN (Hythe): I beg to ask the Secretary of State for War, with reference to that part of the Queen's Regulations of 1889, which specifies that—

“Officers are not interred with military honours unless they are at the time of their decease on full pay, or employed on the Staff, or in the exercise of some military command or office;”

whether General Sir William Jones, G.C.B. (who was in command at the capture of Delhi, the turning point of the Great Mutiny), was, at the time of his decease, Colonel of the Duke of Cornwall's Light Infantry, and in receipt of the pay of £1,000 a year; and whether he was, therefore, entitled to a military funeral?

\*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): Sir William Jones was the Honorary Colonel of the Duke of Cornwall's Light Infantry. An officer holding such an appointment is not on full pay nor in the exercise of any military command or office, and is, therefore, not entitled to a military funeral. I may mention that Sir Archdale Wilson commanded the forces at the capture of Delhi.

\*SIR E. WATKIN: Is, then, the doctrine that unless an officer is on full pay he is not entitled to a military funeral?

\*MR. E. STANHOPE: No, Sir. He was not entitled under Military Regulations.

#### THE SCOTCH FISHERY BOARD.

MR. MARJORIBANKS (Berwickshire): I beg to ask the Lord Advocate whether it is competent for the Scottish Fishery Board to allocate any of the funds at their disposal for harbour construction and improvement as security for advances to Harbour Authorities in Scotland by the Public Works Loan Commissioners; and, if such is the case, whether the Secretary for Scotland would consider the expediency of recommending this course to be adopted by the Fishery Board in the case of Eyemouth Harbour, where £25,000 advanced by the Public Works Loan Board has been expended in improving the harbour without any improvement to the harbour entrance, which is impracticable to fishing boats during large periods of each tide?

MR. J. P. B. ROBERTSON: I must ask the right hon. Gentleman to postpone the question. The matter is somewhat complicated, and I have not been able to get a satisfactory answer.

#### COUNCILS OF CONCILIATION.

MR. BRADLAUGH: I beg to ask the President of the Board of Trade whether he will give directions to the Labour Correspondent to inquire and report as to the extent of the establishment and working of Councils of Conciliation under the 30th and 31st Victoria, chapter 105, and of Boards of Arbitration under the 35th and 36th Victoria, chapter 46, as amending the 5th George IV., chapter 96; and, further, to inquire and report as to the causes, if any, pre-

vailing either amongst employers and employed, which have hindered the utilisation in any, and what, trades, of either of such Councils of Conciliation or Boards of Arbitration?

\*SIR M. HICKS BEACH: No use was made of the Act of George IV., and its existence seems to have been forgotten. When it was enacted the necessary organisations for its successful working did not exist, and its compulsory features and penalties were alike distasteful to employers and employed. Before the Act of 1867 was passed, industrial arbitration was frequently and voluntarily applied. The tribunals proposed by these Acts did not provide for the settlement of future but only of actual disputes. The Act of 1872 was intended to give further powers in this direction; but so strong a preference has always existed in this country for the voluntary system, that neither of the Acts referred to has ever been called into operation. The two later Acts have only followed, not preceded, the establishment of voluntary Councils, and have only given the sanction of law to a system already largely adopted. Under these circumstances, no special inquiry seems necessary.

MR. BRADLAUGH: Is it the case that nothing has been done under the Statute?

\*SIR M. HICKS BEACH: That is so, I believe. The fact is that people prefer to manage their own affairs in their own way.

#### THE TRANSVAAL DEBT.

MR. HANBURY (Preston): I beg to ask the Secretary to the Treasury what is the present condition of the debt of £250,000, bearing interest at 3½ per cent., and repayable by means of a 25 years' annuity, due by the Government of the Transvaal to the Imperial Government; and whether these payments have been suspended, and for what reason?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I am much obliged to my hon. Friend for calling attention to this point. The payments in respect of the Transvaal debt of £250,000 have been regularly made. They have until within the last year been applied in discharge of a debt due to the Treasury Chest Fund of £61,073 15s. 3d., and now

that that debt has been discharged the payments are made into the Exchequer, the first of such payments having been made in April last year. The note at page 136 of the Finance Accounts should, I think, have been fuller, and I propose that it shall be more explicit in future.

#### ZULU AFFAIRS.

MR. HANBURY: I had intended to ask the Under Secretary of State for the Colonies whether he will lay upon the Table the two telegrams of 23rd January and 1st February, 1889, referred to in Sir A. E. Havelock's Despatch of 11th February of that year, on Zulu affairs; and whether he can state exactly what proposal is referred to in the following paragraph of Lord Knutsford's telegram to Sir A. Havelock of 5th February, 1889, which paragraph has been omitted from that telegram as printed in the Blue Book, but appears incidentally elsewhere:—

"In answer to your telegram of the 1st February proposed removal of Dinizulu by force or surreptitiously undesirable;"

and by whom such a proposal was made? I beg to postpone the question until Thursday.

#### SILVER PLATE.

MR. LABOUCHERE (Northampton): I beg to ask the Secretary to the Treasury whether he can state if those sending in silver plate to be weighed, &c., next Thursday, are likely to receive the full amount of the drawback, or if the quantity of plate sent in is likely to lead to a considerable *pro rata* reduction?

MR. JACKSON: It is hoped that the sum of £120,000 will enable the full drawback to be paid on all plate, sent in next Thursday to be weighed, &c.

#### LICENSED PUBLIC HOUSES.

MR. LABOUCHERE: I beg to ask the Chancellor of the Exchequer whether he will grant a Return of the number of public houses which have a certificate licence from Licensing Justices, but whose owners, in respect to whom the certificates have been granted, have not applied to the Excise for an Excise licence?

\*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's Hanover Square): The information can be given.

#### LONDON SCHOOL BOARD ELECTIONS BILL.

MR. BLUNDELL MAPLE (Camberwell, Dulwich): I beg to ask the Vice President of the Committee of Council on Education whether a Memorial (unanimously passed by the London School Board on the 20th March this year) has been received by the Education Department, in favour of the London School Board Elections Bill, which proposes to assimilate the present Electoral Divisions to those used for Parliamentary and County Council Elections; and whether the Education Department can, by Section 37, Sub-section 2, of "The Elementary Education Act, 1870," which gives them power to determine the boundaries of the different Divisions, and the number of members to be elected for each Division to the London School Board, make this necessary change under the present law; and, if not, whether the Vice President will give effect to the Memorial of the London School Board by assisting in the passing of the London School Board Elections Bill, which is down for Second Reading this (Tuesday) evening?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I have seen the Memorial referred to. The Education Department have no power by order to assimilate the present Electoral Divisions to those used for Parliamentary and County Council elections. Her Majesty's Government are not prepared to support the hon. Member's Bill, which will have the effect not only of altering the method of voting in the Metropolis, but also of removing the securities which at present exist for the due representation of minorities.

#### MEETINGS OF POST OFFICE EMPLOYÉS.

MR. BRADLAUGH: I beg to ask the Postmaster General whether the police have recently received instructions from the Post Office Authorities to make inquiries and report as to meetings of Post Office *employés* about to be held; whether such instructions have been issued to the police generally, or in what districts; and if he will state to the House why the police have in this respect in any case been substituted for, or added to, the Local Postmaster?

\*MR. RAIKES: No, Sir; no such instructions have been given either generally or in particular localities.

MR. BRADLAUGH: Then the inquiries which have been made in the County of Bucks by the county police have been made without the instructions of the right hon. Gentleman?

\*MR. RAIKES: Certainly, Sir; I have given no instructions.

#### POLICE WATCHING IN NEW TIPPERARY.

MR. SCHWANN (Manchester, N.): I beg to ask the Attorney General for Ireland whether it is the fact that on the 21st April last, when Father Humphry stood talking with Mr. Gill, of Nenagh (in streets of New Tipperary), the policeman, who is alleged to have told them rudely to "move on" and was asked his name, gave the name of Moran though his true name is Leonard; did he refuse to state where he was stationed, and why; what are the regulations of the Force as to giving their name and address when asked; is it the fact that, on the 22nd April, a policeman followed Father Humphry, and whistled after him in an insulting manner, and refused to give his name, but on another occasion gave it as Wilson Williams, though in a prosecution in Court swore his name was William Welsh; has the duty been especially assigned to this constable, William Welsh, to walk by Father Humphry's side and keep step with him, whilst another constable walks a few feet behind keeping step with them; and what is the name of the second constable?

MR. MADDEN: I must ask the hon. Gentleman to postpone this question.

#### THE CONGO.

MR. SCHWANN: I beg to ask the Under Secretary of State for Foreign Affairs, with reference to the proposals made to the Anti-Slavery Congress for the imposition of Customs duties on the Congo, whether, before the Government commits this country to that policy, this House will have an opportunity of an explanation of the reasons which may exist for adopting such a policy, and of expressing its opinion thereon?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): There would be obvious inconvenience in any discussion taking place in this House while the Conference is still sitting; but British interests in connection with this matter will not be lost sight of.

#### CONVICTIONS FOR DRUNKENNESS.

MR. SCHWANN: I beg to ask the Secretary of State for the Home Department what is the number of convictions for drunkenness, with and without violence, in England, Scotland, Ireland, and Wales respectively for the financial year, April 1889 to April 1890?

MR. MATTHEWS: The judicial statistics for England and Wales give the Returns of convictions for drunkenness classed together under the heading, "Drunkenness and Drunk and Disorderly Conduct." The number of such convictions for England and Wales for the year ended September 29, 1889, was 156,634. I am not yet in possession of the figures for the period ended April 1890. For figures relating to Ireland and Scotland application should be made to the Scotch and Irish Offices respectively.

MR. SCHWANN: If the right hon. Gentleman has the figures separately for each county, will he give them in a future Return?

MR. MATTHEWS: I will consider that question.

#### THE ROYAL SMALL ARMS FACTORY.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Secretary of State for War whether he is prepared to accept on oath the evidence of several gentlemen concerning the transactions of Messrs. Metcalfe at the Royal Small Arms Factory; and will he cause an inquiry to consider that evidence?

\*MR. E. STANHOPE: If the hon. Member will furnish me with the statements to which he refers I will consider them, with a view to see if further inquiry should be made.

#### FOREIGN PLATE.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the Secretary to the Treasury if instructions have been given to the Customs House Officials at Harwich, and the other out-

ports, as in London, that, notwithstanding the remission of the duty, foreign plate cannot be delivered to an importer without subjection to assay, according to the superior standard in force in this country?

MR. JACKSON: I am informed that there has been no change made in the instructions to Customs officers as regards foreign plate.

MR. HOWARD VINCENT: May I ask the Chancellor of the Exchequer whether he will now state his intentions with regard to extending the time allowed to licensed dealers in plate to send in their claims for drawback?

MR. JACKSON: Intimation has been given that if, in any case, from unavoidable delay, the detailed Reports are not in the hands of the Inland Revenue to-day, their cases will not be prejudiced.

#### LABOUR PROCESSIONS.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the Secretary of State for the Home Department why a procession of barge builders and gas stokers was broken up by the police on Mile End Waste on Friday last?

MR. MATTHEWS: I am informed by the Commissioner of Police that no intimation of this procession was given to the police, and that the time chosen being night, and the night on which there was a function at the Guildhall and a demonstration of postmen on Clerkenwell Green, it was anticipated that inconvenience and possible danger to the public would result from obstruction caused by the march of such a procession, which proceeded through the streets from Mile End Waste. The police, accordingly, informed the processionists that their march could not be permitted, and prevented it taking place.

\*MR. C. GRAHAM: Is the right hon. Gentleman aware that the procession was proceeding to Mile End Waste and not through it?

MR. MATTHEWS: My information is the other way.

#### THE VOLUNTEERS.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the Secretary of State for War what is the estimated annual cost of the Drill Instructors and Adjutants of

the Volunteer Force, also of the Colonels commanding Regimental Districts in Great Britain and Ireland?

\*MR. E. STANHOPE: The estimated annual cost, exclusive of non-effective charges, is as follows:—For Adjutants of the Volunteer Force, £108,700; and for the Drill Instructors of the same Force, £142,400; for the Colonels commanding Regimental Districts in Great Britain and Ireland, £35,900.

#### ROUMANIA—MURDER AT KUSTENJE.

MR. FELLOWES (Huntingdonshire, Ramsay): I beg to ask the Under Secretary of State for Foreign Affairs if he can give any further information concerning the murder of Private E. E. Page, Royal Marines, at Kustenje, Roumania, on 10th March?

\*SIR J. FERGUSSON: A Roumanian lawyer has been retained by Her Majesty's Chargé d'Affaires to act as interpreter and unofficial legal adviser at the Court-Martial. Until after the finding of that Court I shall not be in a position to give any further information on this case.

#### THE PLATTERS ROCKS.

CAPTAIN VERNEY (Bucks, N.): I beg to ask the President of the Board of Trade whether the London and North Western Railway Company have offered, on certain conditions, to contribute the whole, or a part, of the cost of removing the Platters Rocks in Holyhead Harbour; and whether the offer has been accepted; and, if not, would he state on what grounds?

\*SIR M. HICKS BEACH: I can only refer the hon. Member to the reply which I gave to a similar question by the hon. Member for Anglesey (Mr. Lewis) yesterday.

#### "MITCHELL v. REGINA."

MR. CUNINGHAME GRAHAM: Has the attention of the right hon. Gentleman been called to the report of "Mitchell v. Regina" in the *London Times*, 13th of May, and the remarks in the *Evening Standard* of that day; and whether, in consequence of the decision of the learned Judges, he is prepared to introduce a Bill to conserve to officers the promises conveyed to them in Her Most Gracious Majesty's Royal Warrants, which are signed by the Sovereign?

\*MR. E. STANHOPE: There is no necessity for introducing any Bill with the object suggested in the last paragraph of the hon. Member's question. The decision of the learned Judges has not deprived officers of any rights or promises conveyed to them by any Royal Warrant. The Courts have held, in accordance with former precedent, that the decision of the Secretary of State, in a case in which it is his duty to interpret the Warrant, cannot be reviewed in a Court of Law.

#### CLEOPATRA'S NEEDLE.

MR. CONYBEARE: I beg to ask the Secretary of State for the Home Department whether he has noticed the extent to which the action of the weather has corroded Cleopatra's Needle so that many of the hieroglyphics appear to be becoming effaced; and whether any steps can be taken to remedy the mischief?

MR. MATTHEWS: I am informed by the Clerk of the London County Council, who have charge of this obelisk, that in May of last year the acting engineer made an examination as to the condition of the Needle, and reported that its present state was not unsatisfactory; that the surface of the stone does not seem to have been affected by the weather to a greater depth than a quarter of an inch, and the hieroglyphics are in many places more than two inches deep. The granite does not seem to have deteriorated since the Obelisk was examined 16 years ago.

DR. TANNER (Cork Co., Mid): Cannot something be done to protect the Obelisk in the same way as the Mosaics in Italy are protected?

MR. MATTHEWS: I will draw the attention of the London County Council to the matter.

#### THE RIFLE BRIGADE.

MR. MUNRO FERGUSON (Leith): I beg to ask the Secretary of State for War whether the 4th Battalion Rifle Brigade, which returned from India in January, has since remained unfit for service for want of serviceable arms and equipment?

\*MR. E. STANHOPE: On the return of this Brigade from India it was found that their arms and equipment were in bad order, but new arms and equipment have been issued.

#### HOSPITAL ACCOMMODATION IN IRISH BARRACKS.

DR. TANNER: I beg to ask the Secretary of State for War whether it is the intention of the Government to provide suitable hospital accommodation, constructed in accordance with modern sanitary rules, in connection with the barracks that are to be rebuilt in Ireland; and, if so, what particular hospitals are intended to be thus renovated?

\*MR. E. STANHOPE: The hospital accommodation at the Curragh and at Belfast will be enlarged in accordance with modern sanitary rules; and wherever barracks are constructed, any hospital accommodation which may be required in connection with them will be built after the most approved modern methods.

DR. TANNER: What steps are being taken in regard to the hospital of the Royal Barracks in Dublin?

\*MR. E. STANHOPE: The sanitary arrangements in connection with the Dublin Royal Barracks are being thoroughly overhauled.

#### THE COMMISSION OF THE PEACE IN SLIGO.

MR. P. McDONALD (Sligo, N.): I beg to ask the Attorney General for Ireland whether a gentleman named Gethin has been recently appointed to the Commission of the Peace for the County Sligo; if so, what were Mr. Gethin's qualifications for the office; has he a residence in the county; is he a landholder or landlord's agent, or does he hold any official position in the district; and, if he does not possess any of these qualifications, on what grounds did the Lord Lieutenant of the county recommend him to the Lord Chancellor?

MR. MADDEN: The Lord Chancellor of Ireland informs me that Mr. Gethin is neither a landlord nor a land agent; but is a gentleman of education and position residing within the County Sligo, in which county members of his family have property. He having been recommended by Her Majesty's Lieutenant of the county as a fit and proper person to be a Magistrate, was appointed in the usual course, and to meet the necessity for an additional Magistrate in the Ballymote district, in which he will attend.

Mr. SEXTON (Belfast, W.): Is the right hon. Gentleman aware that this gentleman has no residence in the county nor anywhere else; and that he is simply a lodger in his brother's house?

Mr. MADDEN: No, Sir; I am informed by the Lord Chancellor that he resides in the County of Sligo.

Mr. SEXTON: That answer conveys a fallacy. Is he not simply a lodger in his brother's house?

Mr. MADDEN: The information supplied to me officially is that he resides in the County of Sligo.

Mr. SEXTON: Will the right hon. Gentleman inquire whether this gentleman has really a residence or property in Sligo?

Mr. MADDEN: Yes, Sir.

Mr. J. O'CONNOR (Tipperary, S.): Will the right hon. Gentleman ask the officials of Dublin Castle to supply him in future with such information as will not be misleading to the House?

\*MR. SPEAKER: Order, order!

#### EMBARKATION OF TROOPS FROM INDIA.

Dr. FARQUHARSON (Aberdeenshire, W.): I beg to ask the Secretary of State for War whether he will direct an inquiry to be made into the circumstances under which H.M.S. *Malabar* recently arrived in England with 500 invalids on board, of whom 100 or more were very ill, and about 40 were absolutely helpless; whether the actual hospital accommodation on board consisted of a cabin capable, when absolutely crammed, of holding 35 berths arranged in two tiers, and whether, under these conditions, erysipelas spread so rapidly that it was necessary to leave some cases behind at Aden, with the view of trying to stop the further progress of the disease; whether the surplus sick had to be put up in cots slung along the port side of the main troop deck, where they were insufficiently protected from cold, and exposed to the dust and dirt of coaling; and whether he will try and arrange that in future invalids shall be conveyed in troop ships properly adapted for the care of the sick?

\*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The embarkation of these troops from India is entirely regulated

by the Government of India. I have requested the Secretary of State for India to give the matter his consideration, and an investigation is now taking place.

#### COUNCIL BILLS.

Mr. SUMMERS (Huddersfield): I beg to ask the Under Secretary of State for India what is the amount of Council Bills sold since the commencement of the present financial year; what proportion is this amount of the whole of the current year's estimate; under whose advice has Her Majesty's Secretary of State forced on the market so much larger a proportion of the year's drawings than is needed for the current requirements of the India Office; and what is the present amount of the cash balances in the Home Treasury of the India Office?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GOSST, Chatham): The amount of Council Bills and Transfers sold since the commencement of the present financial year is Rs. 5,32,34,000; being 24½ per cent. of the estimate for the year. The sales have been made under the advice of the Finance Committee of the Council of India. It is incorrect to say the large amount sold has been "forced on the market"; the demand has been abnormally large. The present cash balance of the Home Treasury is £6,000,000.

#### THE WELSH FUSILIERS.

Mr. CONYBEARE (Cornwall, Camborne): I beg to ask the Secretary of State for War whether the Second Battalion Royal Welsh Fusiliers was, on its return from Burma in 1887, sent to Lucknow instead of to a hill station, although it had suffered severely from the effects of the climate in Burma; if he can explain why it was that, although this corps was very sickly during the autumn of 1887 at Lucknow, and that the Local Medical Authorities strongly advised that it should be sent to a hill station in the spring of 1888, no notice was taken of this recommendation; whether during the trooping season of 1888-9 more men were invalided from this corps than from all the other troops then at Lucknow, consisting of two regiments of infantry, one of cavalry, and two battalions of Royal Artillery; will he lay upon the Table the Reports of the medical officers at Lucknow; and



whether the corps is now at Peshawur, or under orders for that station, which is notoriously a sickly station?

\*SIR J. GORST: The statements contained in the question are substantially correct, except that the battalion is the 1st and not the 2nd Battalion of the Royal Welsh Fusiliers. The 2nd Battalion is much more happily circumstanced. It is at present quartered in Galway. The Secretary of State is not aware of the reasons why the recommendation of the Local Medical Authorities was not attended to. Such matters are, I believe, in the discretion of the Commander-in-Chief.

MR. CONYBEARE: Will the right hon. Gentleman ascertain if it was the fact that the Commander-in-Chief did communicate with the Medical Authorities and was in favour of their recommendation, but that afterwards that recommendation was set aside on representations which were made by other authorities? If that is so, I would also ask what is the use of having Medical Officers at all?

\*SIR J. GORST: I do not know what the hon. Gentleman alludes to. I may, however, say that no recommendation from the Commander-in-Chief has been set aside by any orders from home.

MR. CONYBEARE: I did not mean that. What I meant to say was that the Commander-in-Chief was in favour of the recommendation of the Medical Authorities, but that his decision was reversed in consequence of representations made from another quarter.

\*SIR J. GORST: Inquiry shall be made.

#### PUBLIC HEALTH ACTS AMENDMENT BILL.

Consolidated from the  
PUBLIC HEALTH ACTS AMENDMENT  
BILL, AND THE URBAN SANITARY  
AUTHORITIES BILL.

Bill reported from the Select Committee.

*Mr. Conybeare*

Report to lie upon the Table, and to be printed. [No. 185.]

Bill re-committed to a Committee of the whole House for Monday, 2nd June, and to be printed. [No. 290.]

#### LICHFIELD CATHEDRAL BILL

[LORDS].

Bill read the first time; to be read a second time upon Thursday, 29th May, and to be printed. [Bill 291.]

#### PRESENTATION TO BENEFICES BILL

[LORDS].

Bill read the first time; to be read a second time upon Thursday, 29th May, and to be printed. [Bill 292.]

#### LAND REGISTRY.

Return ordered—

"Of work done under the following Acts:—

(1) Transfer of Land Act, 1862; (2) Mortgage Debenture Acts, 1865-1870; (3) Land Transfer Act, 1875; (4) Land Charges Registration and Searches Act, 1888, showing—

(I.) Number and value of the new titles registered or applied for in the preceding year, with details (a) distinguishing between possessory and absolute titles registered, and applications still pending at the end of the year; (b) showing as far as practicable the values and costs in each case; (c) showing in each case whether the application was made in person, or how otherwise:

(II.) Number of estates on the Register under the Acts of 1862 and 1875:

(III.) Number, value, and nature of all transactions registered during the preceding year under the Acts of 1862 and 1875:

(IV.) The same, as far as practicable, under the Mortgage Debenture Acts, and "The Land Charges Act, 1888;"

(V.) Comparison of costs and receipts of the office in the preceding year with those of former years."—(*Mr.*

*Tomlinson.*)

## NAVY (BOILER &amp;c., TUBES )

Return ordered,—“Of Boiler and Condenser Tubes delivered under Contract since the 1st day of January, 1888, showing Rejections, &c. :—

Date of contract.	Contractor.	Dockyard.	Metal, i.e., brass, steel, iron, &c., boiler or condenser.	Contracted for			Refused.			Accepted	
				Number.	Weight.	Price per foot ordinary sizes and description.	Number.	Weight.	Cause.	Number.	Weight.
—	—	—	—	—	—	—	—	—	—	—	—

*Lord Randolph Churchill.*)

## EAST INDIA (BENARES TEMPLES).

Address for—

“Reports of the Commissioner of Benares to the Government of India of the 14th day of February, 1889, and the 4th day of April, 1889, as to certain Property and Trust Funds belonging to the Temples of Gunesch, Shiva, and Anpura, and the Chattra of Benares; and of any Despatch from the Government of India relating thereto.”—(*Mr. Bradlaugh.*)

## MOTION.

## BUSINESS OF THE HOUSE (CUSTOMS AND INLAND REVENUE BILL).

Motion made, and Question proposed,

“That the proceedings on the Customs and Inland Revenue Bill have precedence of the other Orders of the Day and the Notices of Motion this evening and at every sitting for which it may be appointed.”—(*Mr. William Henry Smith.*)

(252.) **MR. J. ROWLANDS** (Finsbury, E.): I think we are entitled to complain of this very peculiar proceeding, on the part of the First Lord of the Treasury. I do not profess to be so well acquainted with the procedure of this House as some other hon. Members; but I must say that I think it is somewhat extraordinary to find that the Government are desirous of taking up the whole time of the House for Government business before Whitsuntide. Only this afternoon we have gone through the farce of putting down our names for a Ballot, in order that we may be able in a Constitutional manner to ventilate grievances. Why does not the right hon.

Gentleman propose that all this shall be done away with at once, so that we may be spared the trouble of coming down here on Tuesdays and Fridays in order to obtain a favourable place? The position we find ourselves in at this moment is all due to the gross bungling of Her Majesty's Government. Looking at the past records of Parliamentary Government I fail to find any instance in which an Administration has succeeded in getting the business of the country into such a tangled skein. They have had their Irish Land Purchase Bill read a second time, together with the Tithes Bill, the Allotments Bill, and the Bill dealing with Registration; but when they had succeeded in getting those Bills advanced to a certain stage, with almost insane infatuation, they brought in their compensation scheme, knowing full well that it was bound to meet with the most strenuous opposition, and that it was one of the most contentious measures they could bring before the House. They have taken this course without solicitation either by the Temperance Party, or the publicans, or the general public, and with complete knowledge of the feeling which was created throughout the country when a similar course was projected two years ago, and the only way in which they propose to get out of the difficulty in which they find they have placed themselves is by proposing to sacrifice the whole of the time of private Members. Having obtained the first place

to-night, I cannot abandon it without a serious protest, and certainly not without dividing the House. Personally, I have not been able to discover whether the Government really want the time of the House for this Bill, or simply to do a kindly action towards those who are assailed by the Motion I proposed to move this evening, dealing with the system of faggot voting which exists in London. There may, however, be another reason, because, when my Motion was disposed of, it would have been possible to have afforded facilities to the hon. and gallant Member for Woolwich (Colonel Hughes) to bring forward the Motion dealing with the dockyards which stands in his name—a Motion which the Government, by a piece of sharp practice, succeeded in staving off on Friday night. It is a singular fact that the three questions which have precedence for the evening sitting all affect the people of London, and yet Her Majesty's Government avail themselves of the opportunity for telling the inhabitants of this Metropolis, "No matter what your grievances are, we, by our automatic majority, will vote you down and take up the whole time of the House." If private Members are to have any rights at all, the conduct of the Government must be resented, and it is our duty to let the country know that if there ever was a Government which succeeded in mismanaging its business it is the present. I intend to divide the House against the Resolution.

(3.0.) MR. T. P. O'CONNOR (Liverpool, Scotland): I sympathise very strongly with the remarks of my hon. Friend in regard to the business which stands on the Paper for to-night. Only the other night the right hon. Gentleman the First Lord of the Treasury, by a manoeuvre, got rid of the Motion of one of his own supporters—the hon. Member for Woolwich—with regard to the bad pay of men employed in the Public Service of the country. Only this morning I received a note from the hon. and gallant Member, in which he says, "My Motion as to the very low wages paid to labourers in the Government establishments in London is down for to-night, and will be divided upon. I shall feel obliged if you will extend to me the same kindness you did on Friday night in making and keeping a House." I have no doubt that my hon. Friends have re-

*Mr. J. Rowlands*

ceived a similar letter, and there are very few who would not be in their place, in order to secure an opportunity of discussing the question. And now it appears that the hon. and gallant Gentleman is to be unfairly deprived of all opportunity of discussion by his own Government. I do not know whether I am in order in alluding to the scenes which kept us here until 4 o'clock this morning, but I wish to draw attention to the fact that the Government are pursuing a deliberate plan of throwing dust in the eyes of the nation. About 1 o'clock this morning, with an assumption of seriousness, they proposed, in the absence of the members of the Press, and surrounded by hon. Members who had been in attendance for nine or 10 hours, to begin the discussion of two of the most important clauses of the Budget Bill. We resisted that proposal, and I hold that we were justified in resisting it; but we offered to discuss the question adequately, as we thought the interests of our own constituents demanded. We made an offer of that kind to the Government over and over again, but offer after offer was refused, and it was only in sheer self-defence that we were obliged to shield ourselves behind the Forms of the House. I am glad to say that the course we pursued had the countenance and support of the able and impartial right hon. Gentleman who presides over the Committees of this House. His refusal to be a party to the gagging of Members drew upon him, I regret to say, something like an intentional insult, and a complete misapprehension of his motives. And what is the position of the Government? In the short recess which is about to take place if the First Lord of the Treasury makes a speech it will be to denounce the conduct of the Opposition as factious and obstructive. I entirely share the opinion of the hon. Member for Northampton (Mr. Labouchere) that the present Ministry is a lawless, an immoral, and a profligate usurpation. They hold office in spite of the constant and unmistakeable condemnation of the constituencies, and under such circumstances I regard Her Majesty's Government as just as much an usurpation as if they were an oligarchy, who had established themselves by a *coup d'état*. For my own part, I think the House are justified in refusing to grant a single

penny of the public money to a Government which has ceased to represent the nation. Upon one or two occasions we have endeavoured to call the attention of the House and the country to some of the proceedings of the Government with regard to foreign questions.

\*MR. SPEAKER: The hon. Member is now transgressing the limits of the Motion before the House.

MR. T. P. O'CONNOR: I will not pursue the subject further. I was only illustrating my argument that the Government have no right to complain of the action of the Opposition. As a matter of fact, the Government do not want this time, which properly belongs to private Members, seeing that the Budget Bill of 1885, which led to the defeat of the Government, did not reach a Second Reading until the 8th of June. The only reason for pressing forward the Bill now is to divert public attention from the mismanagement of the Government, by making an unjust and unfair attack upon the Opposition. It is part of a scheme to push through the House legislation against which the country has indignantly revolted.)

MR. PHILIPPS (Lanark, Mid: As the First Lord of the Treasury is now seeking to appropriate the whole of the time of the House, may I ask him if he proposes to afford facilities this Session for the discussion of the Eight Hours' Bill for Miners, seeing that early in the Session 134 Members of the House, representing all Parties, signed a requisition to him expressing a hope that time would be found for the discussion of the measure? As the right hon. Gentleman is now proposing to appropriate the time of private Members before Whitsuntide, and as he is certain to ask for further encroachments after Whitsuntide, I think the time has arrived for asking what his intentions are with regard to a measure in which the miners of the country are intensely interested, and in which those of Scotland are unanimous? I should also like to ask when the remaining Votes for the Navy are to be taken?

\*MR. SPEAKER: The hon. Gentleman is not discussing the Motion before the House. Nor do the subjects to which he refers come within the period of time for which the right hon. Gentleman proposes to take the time of the House.

MR. PHILIPPS: I only wished to point out that one of the questions upon the Paper for to-night would raise a discussion as to the condition of labour in the Government establishments, and if such questions as this cannot be discussed to-night, I should like to know when they can be brought on?

(3.10.) MR. SEXTON: I should like to know upon what ground the First Lord of the Treasury considers himself entitled to present a Motion attacking the rights of private Members without offering a word of explanation. The onus lies upon the right hon. Gentleman of proving that the Motion is necessary, and that at this early period of the Session it is desirable to extinguish the rights which the hon. Member for East Finsbury (Mr. J. Rowlands) and the hon. Member for Woolwich (Colonel Hughes) have succeeded in obtaining for the Motions which stand in their names. The House cannot forget that the hon. Member for Woolwich was on Friday night deprived of his right by something very like a trick. I strongly protest against a manœuvre by which the Government are seeking, for the second time within a week, to deprive the hon. Member, who is one of their own supporters, of an opportunity of bringing to the notice of the House the grievances of a body of persons who are in the employment of the State. I should have thought that it was, at any rate, incumbent on the right hon. Gentleman to show that the Budget Bill is of such extreme urgency as to demand the appropriation of the time required. We have not yet reached the end of the month of May, and we are entitled to inquire why it is necessary that the Budget Bill of 1890 should be passed earlier than in any previous year? I have been 10 years in the House of Commons, and certainly I have never known the business of the country to be in such a state, owing to the chronic incompetence and spurts of tyranny of the Government. I beg to move, as an Amendment to the Motion of the right hon. Gentleman, after the word "proceedings," to insert the words "in Committee."

Amendment proposed, after the word "proceedings," to insert the words "in Committee."—(Mr. Sexton.)

Question proposed, "That those words be there inserted."

(3.20.) MR. H. T. KNATCHBULL-HUGESSEN (Kent, Faversham): I intend to support the Government, although representing a dockyard constituency. I regret the abandonment of the Motion of the hon. Member for Woolwich relating to the low rate of the wages of dockyard labourers; but I quite recognise that in view of the unparalleled obstruction which has been offered, Her Majesty's Government have taken the only course open to them. The hon. Member for Finsbury spoke of the farce of coming here to put down Motions for Tuesday and Friday. I do not agree that it is a farce; but, at the same time, I feel that we are sent here to do the business of the country, and not to discuss the fancies of private Members.

MR. BEAUFOY (Lambeth, Kennington): I should like to point out that, although a large number of questions of the deepest interest to London constituencies have been placed upon the Paper, not a single opportunity has been afforded for bringing them before the House. Having the honour to represent a London constituency, I think it is high time for the Metropolitan Members to make a protest against the action of the Government in seeking to deprive them of the only opportunity they are likely to have of making some of their grievances known.

(3.25.) MR. DILLON (Mayo, E.): I listened to the remarks of the hon. Member for Faversham (Mr. H. Knatchbull-Hugessen), and I absolutely deny that there has been any obstruction whatever. If the business of the country is not in a satisfactory condition the Government are alone responsible for it. At the very earliest period of the Session the First Lord of the Treasury has come down and made a demand upon the time of the House of a most extraordinary character, but he has very prudently and wisely made no attempt to justify the demand he makes. The Government would have had their Budget Bill passed before now if they had refrained from introducing contentious clauses into it. As a matter of fact, they have introduced bills of a highly contentious character,

which it would be utterly impossible to pass this Session, even if the Sittings were prolonged until Christmas. So far as the Irish Members are concerned, they know that the licensing proposals of the Government are regarded by their constituents with hate and detestation, and they feel that it is their duty to oppose them by every means in their power. The Government have tacked on to the ordinary business of the country propositions that are perfectly novel, and which raise great issues of policy upon which the constituencies have a right to pronounce an opinion. That, and that alone, is the real reason why we are making such little progress. If there has been obstruction of public business it has been the result of the unprecedented proceedings of the Chancellor of the Exchequer and the First Lord of the Treasury. We have simply done our duty in opposing these proposals, and what I suggest to the Government is that they should now take out of this Budget Bill the clauses which introduce this new policy. If they do that, the Budget Bill will pass as quickly as the Forms of the House will permit; the Government will be able to make progress with Supply, and to clear away other business of the country, and then the remainder of the Session can be devoted to the interests of Irish landlords and English publicans. It is uncandid and unfair to seek to blind and deceive the country by endeavouring to lay the blame upon our shoulders of delaying or obstructing public business when, in reality, we are simply opposing a great and novel policy which the Government are seeking to introduce under the cloak of doing the ordinary business of the country. Supposing the Government succeed in carrying out this policy, I suggest that, for the convenience of Members, they should now get up and announce to the House what is their real programme of business for the remainder of the Session, and what they propose to throw overboard, and what they intend to carry. I would suggest, too, that in order that there should be a clear week's holiday, the House, if necessary, should sit on Saturday.

\*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The hon. Member has told us that it is the bounden duty of the Opposition to

resist the policy of the Government by every means in their power. [Mr. DILLON: The policy of the endowment of publicans.] If any reasons were wanting why, as proposed by the Motion, special facilities should be given to the Government for carrying the Bill through, the hon. Member for East Mayo has himself supplied them. He has not called it obstruction, but he has admitted that the policy of the Government has been opposed by everything in the power of the Opposition—

MR. DILLON: I am afraid I must interrupt the right hon. Gentleman—

\*MR. SPEAKER: Order, order!

MR. DILLON: That is absolutely false.

\*MR. SPEAKER: Order! If the right hon. Gentleman does not give way he is in possession of the House, and has a right to continue his remarks.

MR. DILLON: It is customary for hon. Members to give way under such circumstances.

\*MR. SPEAKER: It is entirely optional with the right hon. Gentleman whether he gives way.

MR. DILLON: It is customary.

\*MR. SPEAKER: Order, order!

\*MR. W. H. SMITH: I think the majority of the House will acquit me of being in the habit of making false accusations.

MR. DILLON: You said exactly the opposite of what I said.

\*MR. SPEAKER: Order, order!

\*MR. W. H. SMITH: I am content to take the judgment of the House as to whether I have put an unfair interpretation on the hon. Member's words. I made the Motion now before the House because it is imperative in the judgment of the Government, upon whom the responsibility rests, that it should be made. In the discussions which have taken place on the Bill there has been a considerable and a needless repetition of arguments. The hon. Member for East Mayo has invited the Government to take these particular clauses from the Bill. Recommendations of the same character have been made over and over again on the Opposition side of the House, and there surely must be some limit at which even the most reasonable recommendations must cease, if the majority of the House make it clear that

those recommendations cannot be accepted. I am most anxious to carry on the business of the House so as to suit the convenience of private Members; but the legislation of the Government must be passed, and it is not the fault of the Government that by unduly protracting discussion private Members have deprived themselves of their opportunities. With regard to the Motion of the hon. Member for Woolwich, he will have an opportunity of making it on going into Supply. Both the Secretary of State for War and the First Lord of the Admiralty will give careful consideration to any matters brought before them by hon. Members with a view to remedy grievances. I will not now enter into the Programme of the Session, because the Motion before the House is an extremely limited one. If it becomes necessary for the Government to make proposals for a further extension of time, then the views of the Government with regard to the future progress of business may be properly put forward. On the present occasion we simply ask the House to give precedence to a Bill which, in the opinion of Her Majesty's Government, ought to be passed without further delay, and as to which there has been very considerable and protracted discussion. I hope the House will now come to a decision on the question before it.

SIR W. HARCOURT (Derby): There is no doubt the demand of the Government is a most unusual one at this period of the year. When such a demand is made it is the duty of Members of the House to examine the grounds upon which it is based. The greater part of this Bill, that which makes provision for the finances of the country, is unopposed. That could be passed to-day, and might have been passed last week. But the opposed part of the Bill has no relation to the Imperial finances, and is part of a scheme the discussion of which the Government have admitted ought to be postponed till after Whitsuntide. This is said to be a part of the business of the Government, but it formed no part of the recommendations in the Queen's Speech. It appeared all of a sudden as an accident and an incident, and as a secondary and independent part of the Budget of the Chancellor of the Exchequer. I have heard astonish-

ment expressed equally on both sides of the House at the madness which has inspired the Government to flash upon Parliament, encumbered as it is already by the immense demands of the Irish Land Purchase Bill and the Tithes Bill, this question of compensation to publicans. Sheridan is reported to have said that he had heard of a man 'breaking his head against a brick wall, but he had never heard of a man building a brick wall to break his head against it. Yet practically this is what has been done by the Chancellor of the Exchequer in making a proposal which is no part of his Budget, but is rather an unwholesome excrescence upon it. If the Government choose to fight out this question of compensation to the liquor interest I have no objection, if only they will give time to the country to form and pronounce an opinion upon it. The Opposition is ready to fight it out; but we will not have it closed. If the Government imagine the question is going to be disposed of on a side issue they are entirely mistaken. The proceedings of yesterday were inaugurated by a rescript from the *Times*, in following whose advice on a previous occasion the First Lord of the Treasury came to disaster. The *Times* is in the confidence of the Government, and the Government enjoys the friendship of the *Times*. That paper yesterday—a meeting of the Cabinet was held on Saturday—announced what was to be the policy of the Government on this measure and what treatment the Opposition was to expect. The words of the *Times* have been endorsed by the subsequent action of the Government. They have been advised to make the best possible use of their majority without the least regard to the hypocritical outcries of the minority, because "what the country believes in is success." That is the morality of the Government policy; but whilst it is true that "nothing succeeds like success," it is also true that nothing fails like failure. The *Times* says—

"If work is done the Opposition may go about the country whining or howling about the arbitrary use of a majority or the stifling of discussion until they are hoarse. Nobody cares a straw though they are closed 10 times every night, nor will their complaints excite anything but amusement."

I venture to denounce language of that kind addressed to the House of Com-

*Sir W. Harcourt*

mons as a brutal and insolent outrage. [Laughter.] The First Lord of the Treasury laughs at the idea of being guided by his old friend. The House can see that what the *Times* has said is an exposition of the policy of the Government. There is one sentence in which I can entirely concur:—"Sir W. Harcourt and his friends have not the least apprehension of being called to account for obstructing business." Later on the *Times* says:—"There are far too many speeches" [*Ministerial cheers*];—yes, Sir, I waited for that cheer—"far too many speeches from the Government Benches." Now, the Government have difficulties. "It may be a little difficult" says the *Times*, "to curb the loquacity of their supporters;" but it adds that this can be done if they are made to see that business is really to be advanced by their self-denial. I was glad to see that the first lesson in self-denial was learnt by Gentlemen opposite last night. There was an attempt to carry out the policy indicated in the *Times*, and it was followed by as humiliating a disaster as ever befel a Government when engaged in an un-Constitutional and unscrupulous attempt to override free discussion in the House of Commons. What I protest against is what took place last night when, in the most material part of a most important policy, the Government endeavoured to gag the House of Commons, and in the dead of night to pass measures which most materially affect the interests of every part of the United Kingdom, without discussion, or in a manner of which the country could have no notice. The First Lord of the Treasury was not in the House at 4 o'clock this morning, and perhaps he would like to know what happened. Perhaps hon. Gentlemen opposite would like to forget it; but it shall not be forgotten in the House or in the country. Well, what took place? There was a scene—

\*MR. SPEAKER: Order, order! The right hon. Gentleman is not entitled to refer in detail to what took place in Committee last night, of which the House has no cognisance when I am in the Chair; but within a certain limit, which no doubt the right hon. Gentleman knows, he can allude to it in a general way.

SIR W. HARCOURT: I will follow your ruling, Sir. I was only about to say that certain incidents of the Sitting reminded me of the story of the battle of Waterloo. When we had been pounded all night, and had stood our ground, there appeared on the scene a foreign force, which the Napoleon of the night supposed to be Grouchy, but which turned out to be Blücher. Then the force disbanded, amid a general cry of "*Sauve qui peut!*" and the Napoleon fled. I hope that course will not be repeated by the Government. The Government, I understand, are determined to go on with their compensation scheme and with these clauses in the Budget Bill. Very well, I, for one, will not refuse them the time they ask even at the sacrifice of the interests of private Members. I regret that the interests of the people of London should be deliberately sacrificed in order to forward the compensation to publicans policy of the Government. I am very sorry that, by the brushing aside of the Motion of the hon. Member for Woolwich (Colonel Hughes), the interests of the working men, whose cause he has espoused, should be sacrificed. But if the Government are determined to make this afterthought on their part the first and most prominent portion of their policy we are ready to meet them, and will grant the time necessary to discuss their proposals. The hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor) has charged us on this Bench with weakness in our resistance to the Government. I will expose myself still further to the charge by giving the Government all the time they can get for the fair discussion of their policy. It ought to be, however, on the understanding that their proposals are not hastily forced through by the Closure. The difficulty in which the Government find themselves is due to the character of their measures, which are repugnant to the feeling of the nation—Bills for buying out Irish landlords, compensating English publicans and brewers, and aiding parsons in Wales. That is not a popular programme, or one that recommends itself to the country. If, however, they choose to occupy the whole time of Parliament for the discussion of these particular topics we cannot help our-

selves, and must meet them as best we can. In order that we may have ample time to discuss their policy, we will not oppose their present demand.

(4.4.) SIR WILFRID LAWSON (Cumberland, Cockermouth): I do not wish to use any of the epithets which have been used against the Government to-day. They have received a severe castigation. They have been called lawless, immoral, and unprincipled, and the right hon. Gentleman has alluded to their having suffered a humiliating disaster. I wish to appeal to them in a friendly spirit. On one point the Government and myself are at present in cordial accord, and that is in the desire to promote temperance. They seldom make any speeches without saying that the earnest desire of their hearts is to promote some temperance measure. In fact, I look upon them now not so much as a Government as a great temperance league. It is not for me on this occasion to discuss their mode of promoting temperance, but I think they must admit that there are other people who have the interest of temperance at heart almost as much as Her Majesty's Government. To-morrow there is on the Paper a Bill which embraces the views of an enormous number of the people of this country in regard to what should be done towards diminishing the evils of the drink traffic, and I would ask the First Lord of the Treasury whether he thinks it ought not to be discussed. It is a Bill based on three Resolutions of this House, and there are more people interested in it, I feel sure, than are interested in any other Bill before the House at the present time.

(4.6.) MR. LABOUCHERE (Northampton): If I could hope that by giving the Government the time they ask for we could obtain from them time for adequate discussion, I should not have the slightest objection to granting them a certain amount of time, on the principle of giving them enough rope; but I am afraid the rope would be used to strangle us. They would take the time of private Members, and, instead of giving us full opportunities for discussing the compensation proposals, they would Closure us. I should, therefore, like some Member of the Government to be good enough to break that remarkable silence which has fallen upon them since they



received the orders of the *Times*, and explain the intentions of the Government with regard to the future. The First Lord of the Treasury has put himself forward as a very able man of business. I shared in the opinion that he was an able man of business, but I own I have been disappointed. I think now that not only is the right hon. Gentleman not a good man of business, but that he does not understand the House of Commons. He seems to be under the impression that he should come down here as a sort of schoolmaster and treat us as a sort of school children. It is all bullying and bartering on the part of the right hon. Gentleman. He is constantly telling us if we do not do this or that we shall not have a holiday—as if we were children. That, Sir, is not the way to treat the House of Commons. We know we are absolute worms in the right hon. Gentleman's eyes, but by the course he has adopted he has induced us to turn and protest against his proceedings again and again. An hon. Gentleman opposite spoke of us as having been guilty of unparalleled obstruction. I must explain that the word obstruction is used in two senses—a good sense and a bad sense. Of course, all opposition is obstruction in a certain sense. The First Lord of the Treasury pointed to the hon. Member for Mayo (Mr. Dillon) as having announced an intention to obstruct, because he said he would delay and oppose. Why, every speech in opposition to the proposal of the Government naturally delays that proposal being passed, and opposes it. In that sense, no doubt, we do obstruct, but, in an improper sense, we never obstruct in this House. I have heard this playing on the word obstruction time after time. The ins always complain of opposition as obstruction, whilst the outs maintain that it is legitimate opposition, although immediately the outs become the ins, their view of opposition changes, and they begin to charge their opponents with obstruction. If the present Government should go out, its Members would be found to act just as we are acting at this time. ["No, no."] Well, we shall see. On the Land Bill of the right hon. Gentleman the Member for Mid Lothian, the Conservatives did not obstruct—God forbid that I should charge them

*Mr. Labouchere*

with anything of the kind—but they took 38 days to consider the clauses in Committee. When we have occupied 38 days in Committee on a Bill of the First Lord of the Treasury, perhaps he may be justified in complaining of obstruction, but I deny that he has any ground for complaining of it now.

(4.12.) Mr. W. H. SMITH rose in his place and claimed to move "That the Question be now put."

\*MR. SPEAKER: I would remind the House that the subject under discussion is the Amendment moved by the hon. Member for West Belfast to insert in the Motion after "proceedings" the words "in Committee." I do not think there is any disposition to unduly delay the decision on that Amendment.

(4.12.) MR. T. M. HEALY (Longford, N.): I think I may say, Sir, on behalf of my Colleagues, that you have fairly interpreted the feeling which prevails on this side of the House, and I thank you for allowing us to continue for a few moments longer the Debate raised by my hon. Friend. It is a remarkable thing that the First Lord of the Treasury has so little regard for the rights of private Members that, even at the moment he is depriving them of the time which the Rules of the House allow them for bringing on business, he endeavours to prevent them from expressing an opinion upon his action by the Closure. In spite of the violent interference of the First Lord of the Treasury, I will say that which I rose to say, namely, let us fall in with the proposal of the right hon. Gentleman the Member for Derby. Let us agree to give the Government the whole time of the House, let us not take a Division against the present proposal of the right hon. Gentleman, on the understanding that now that he proposes to take private Members' time, he shall not, at least in the time he so takes, attempt to use the Closure. Let the Government take, in addition to their Morning Sitting, all the time of the House after 9 o'clock to-night, and let them have all to-morrow, in addition, but let private Members be protected in their own time from the violent measures of the First Lord of the Treasury. It will go forth to the country that the right hon. Gentleman has met the proposal of the Member for Derby by an attempt to apply the Closure; but,

at any rate, let it also go forth that private Members are not to be closed during the time they surrender to the Government—that they are not to be strangled by their own rope, so to speak. I think the suggestion of the right hon. Gentleman the Member for Derby is a good one. We are entitled to an answer to it, and also on another matter. This Motion will give the Government an additional day and a half. Surely, therefore, hon. Members are entitled to have a day and a half added to the Whitsuntide holiday. I entirely repudiate any charge of obstruction. There is, indeed, no need for obstruction, as we are not now in the position we occupied in former times. We have nothing to gain and everything to lose by obstruction. The game of obstruction, if it ever was played in this House by private Members, is at an end. All we desire is to have a reasonable opportunity of expressing our views and of arguing questions with the Government.

\*(4.15.) MR. W. H. SMITH: It is the intention of the Government to use the time of the House in a proper and reasonable way. In regard to the holidays, if the hon. Member will put a question to me on Thursday on the subject, I hope I shall be in a position to give him an answer.

(4.16.) MR. SEXTON: If the suggestion of the right hon. Member for Derby, supported by my hon. and learned Friend, is accepted, we shall understand that the proceedings on this Bill only occupy the time usually at the disposal of private Members, and be free from the operation of the Closure Rule.

\*(4.17.) MR. W. H. SMITH: I think the hon. Member must see that I cannot give any general pledge on that point. There is an expectation held out by the right hon. Gentleman himself that the proceedings in the Committee on this Bill shall terminate within a certain reasonable time. I say no more than this—that the Government will endeavour to conduct the Debates in a just and reasonable spirit.

(4.19.) SIR W. HARCOURT: I should like to explain that what I intended to say was, that if the Government receive a large accession of time from private Members, it will be unreasonable on their part to insist upon forcing on Debates at late hours of the night to the

inconvenience of all parties in the House, and when it is impossible that the Debates could be reported. I say that that will be unreasonable, and I accept the statement just made by the right hon. Gentleman that he intends to act in a reasonable manner. Consequently, I understand that we are to consider ourselves safe from being called on to continue these discussions at an unreasonable time of the night. In these circumstances, I hope we need not go to a Division.

\*(4.23.) MR. W. H. SMITH: It will be remembered that I alluded to the reasonable expectation held out by the right hon. Gentleman and the hon. Members opposite that the Bill will pass through the Committee to-morrow.

(4.23.) SIR W. HARCOURT: I hope that reasonable expectation will be fulfilled, but I must point out to the right hon. Gentleman that when, at the instance of the noble Lord the Member for Rossendale (the Marquess of Hartington), I made that offer to the Government last night, it was rejected by the Chancellor of the Exchequer. I consider I should be at liberty to recede from that offer if I desired to do so. I do not desire it however. I hope that expectation will be fulfilled.

(4.24.) MR. ILLINGWORTH (Bradford, W.): We, too, are to indulge in the expectation that we shall not be kept up to an unreasonable hour, and that we shall not have the Closure applied to us. Our position with respect to this Budget Bill is this. It has been a surprise to us from first to last. It was not in the Queen's Speech, and must have been the result of a sudden decision—either that, or the Government have kept it in their minds without saying anything about it. We have heard from the Government, over and over again, that they do not desire to compensate the publicans, but this is a measure to give compensation, and the conviction of the overwhelming majority of the people of this country is that if the Bill passes in its present form an enormous burden will be thrown upon the shoulders of the taxpayers through this compensation. Our constituents—and I can speak for my own—are most anxious that we should press the Government for an explanation of the scheme. We cannot do this with the fear of the Closure hanging over us.

(4.25.) MR. SEXTON: I understand it to be affirmed that the proceedings on the Bill are not to be pressed forward at an unreasonable hour of the night. Upon that understanding I ask leave to withdraw my Amendment.

Amendment, by leave, withdrawn.

Main Question put.

(4.25.) The House divided:—Ayes 306; Noes 137.—(Div. List, No. 100.)

Ordered—That the proceedings on the Customs and Inland Revenue Bill have precedence of the other Orders of the Day and the Notices of Motion this evening and at every Sitting for which it may be appointed.

### ORDERS OF THE DAY.

#### CUSTOMS AND INLAND REVENUE BILL.—(No. 231.)

Considered in Committee.

(In the Committee.)

Postponed Clause 6.

(4.40.) MR. BLANE (Armagh, S.): I beg to move, in line 34, to leave out the word "gallon" and insert "hogshead." The object of this is to reduce the taxation on the shoulders of those people who are least able to bear it. The amount of taxation raised from the Alcohol Duties is £21,649,448, and this presses very unequally on the rich and poorer classes. For three glasses of British spirit, the poor man pays, say, 1s., and out of it he pays 9d. on duty, but suppose a man consumed a bottle of wine that cost 1s. 6d., the only payment to the Exchequer out of that is a 1d. This increased taxation now proposed means increased adulteration, and it means an increase in illicit distillation, and consequent loss to the Revenue. I cannot say that I should be prepared to condemn this illicit distillation, though technically it is against the law, because I know the taxation upon the article is unjust and is unequal in its incidence between the rich and the poor. I know it is urged that the heavy taxation will conduce to temperance, because it will act as a check upon consumption, but I am quite sure that those who have studied the question will come to the conclusion that this is all nonsense. If you were to take all the taxes off, I

do not believe there would be a whit more drunkenness, and, indeed, I believe there would be less. There would be less of the habit of men treating each other, for it would be a cheap and common means of refreshment, and there would not be heavy drinking bouts alternately with periods of total abstinence. The very heavy duty on spirits stimulates the manufacture of spirits from unwholesome materials, bad spirit impregnated with fusel oil finds its way into consumption, and Excise officers can tell you that a large amount of spirit is made from molasses and other substances. I am not greatly impressed by the statement made in the *Times* that a similar Amendment to this, devoted to the Customs Duty, was a foolish and meaningless Amendment. It is simply a protest against the working classes being robbed, as practically they are, with every glass of liquor they take, and being compelled to bear taxation which, if fairly adjusted, should fall upon the landed class and the richer classes in the community.

Amendment proposed, in page 2, line 34, to leave out the word "gallon" and insert the word "hogshead."—(Mr. Blane.)

Question proposed, "That the word 'gallon' stand part of the Clause."

\* (4.43.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I really have nothing to say more than I said yesterday in regard to a similar proposal. The whole argument of the hon. Member goes for a total abolition of the duty. It would be far better to make a total remission of the duty than to reduce it to a 54th part of 6d., which would be a ridiculous conclusion.

(4.43.) MR. SEXTON (Belfast, W.): My hon. Friend has explained the principle upon which he makes his proposal, he finds that opinion is adverse to it, and I would suggest that he should not put the Committee to the trouble of a Division.

(4.44.) MR. BLANE: Yesterday I had three Amendments, only one of which I actually moved, and did not take a Division, but all the same I am met with a charge of obstruction. Neither yesterday or to-day has the right hon. Gentleman convinced me that there is any,

absurdity in my proposal, but though the Government have not showed themselves worthy of much consideration, yet, in deference to the request of my hon. Friend, I will not insist on the Amendment.

Amendment, by leave, withdrawn.

(4.45.) **MR. FLYNN** (Cork, N.): I take the liberty of moving the Amendment of which I have given notice, to insert in line 34 the words—

“Of spirits which shall not have been in bond for a period of at least one year the duty of 6d. per proof gallon, and so in proportion for any less quantity.”

This raises a very important question on which we have had no defence of the Government proposal, and, indeed, a somewhat qualified assent to my view from the Chancellor of the Exchequer. It may be objected that it raises the whole question which was raised on a former occasion upon the “Bonding of Spirits Bill,” but that is not quite the case. The Amendment reduces to a minimum the ill effects of the proposed new tax as regards Ireland and Scotland, and will, I think, largely tend to diminish the annoyance the tax will cause. If there is one thing more than another in connection with the Spirit Duties upon which all parties are agreed, it is that it is highly desirable, if it is practicable, that new spirits should not find their way into consumption, or, at any rate, that no facilities should be offered for such spirits finding their way into ordinary consumption. Where my Amendment differs from the proposal to bond all spirits for 12 months, is in giving a Differential Duty of 6d. a gallon in favour of spirits that have been bonded 12 months, favour being shown to the better article, which is not likely to produce the injurious effect on the consumer that new spirit does; whereas the Bill to which I have alluded proposed to apply the 12 months restriction to all spirits. In 1879 that Bill passed its Second Reading without Division, and why it was not carried to a legislative enactment I do not understand. I have read the Debates on that and other occasions, and I find that any argument used against the bonding of spirits for 12 months could not apply to this Amendment, because here the bonding for that time is optional and is not absolutely

demanded, but the Preferential Duty will encourage dealers to put the same mellow spirit on to the market. There is an abundance of testimony to show the injurious effects of new spirits, and all authorities are agreed that, at the present time, a large amount of new spirit, containing fusel oil in large proportion, finds its way into general consumption, with, of course, great injury to the health of the consumers. The Committee appointed to hold the inquiry in reference to the Adulteration of Food Act of 1872 reported unanimously on this very subject. They said there was a singularly unanimous expression of opinion from scientific witnesses as to the perfectly maddening effect of the consumption of new spirit. Dr. Cameron, a well-known scientific authority, said that fusel oil was highly pernicious, even in small quantities, and he went on to express an opinion that it would be well if new spirit were not allowed to be removed from bonded stores until after the expiration of an appointed time, say a year. That is exactly in the direction of my Amendment, which is, however, not compulsory. Another authority, Dr. McAdam, F.R.S., Professor of Chemistry at Edinburgh University, said—

“I have not the slightest doubt that the fusel oil in whisky is injurious to health, and I believe in most cases the maddening effects attaching to whisky drinking are due to the presence of fusel oil.”

That Committee arrived at its opinion upon testimony which was overwhelming to the same effect. Last night we had an expression of opinion from the Chancellor of the Exchequer, and he undertook that this question should be considered, not only from a Revenue point of view, but as it concerns the health of the community. That being so, I suggest that my Amendment is well worthy of attention, and is a step towards a solution of the difficulty. If we bring in a Bill to provide that all spirits shall remain in bond for 12 months, we shall meet with opposition from certain distillers, who will urge that it is unfair to ask them to lock up their capital for 12 months, thereby handicapping them in their competition with importers of foreign spirits, but my proposal, acting in a permissive way, will give the home distillers the benefit of

the difference in duty if they give the public a more wholesome article. I hope I have made my meaning clear, and I believe there would be no Excise difficulty in carrying out my suggestion. The consumption of spirits in England, Scotland, and Ireland, is on the increase, and how far that increased consumption is made up of new spirits it is impossible to ascertain. I have endeavoured to find out, but I have been unsuccessful. I do not know whether the Government have any means of ascertaining the respective proportions of new and of matured spirits sold, but I think one would be safe in arguing that, if this additional tax of 6d. per gallon is imposed, and if the Government entertain the idea that its imposition will bring about an increased Revenue, the actual result will be that a greater quantity of new spirits will be put on the market. I think it would be better by far to offer an encouragement to distillers to keep their spirits in bond for a good period. I am not concerned, either directly or indirectly, in the trade, but I am making this Motion in the interests of the good character of both Scotch and Irish whiskies, because I know that, under the present absurd system of Excise collection, a large quantity of maddening new spirit is now put on the market, and I am anxious to restrict the sale of such spirit. Those who are jealous of the reputation of whisky should support this Motion. I have been told by some hon. Members of this House that they would prefer to see whisky abolished altogether. The hon. Baronet the Member for Cocker-mouth, who makes such interesting speeches on the subject of temperance, said, that instead of keeping spirits in bond for one year he would prefer to see them kept in bond for two hundred years. But we must approach this subject as sensible men. If whisky is made to be drunk, surely it is an advantage that it should be given to the public in a form in which it will not produce bad effects. I know of some parts of Ireland where it has produced most terrible effects; and if we refer to the Constabulary Returns, and to the evidence of those who are interested in the subject, we shall find that the new whisky that is sold in many parts, both of Scotland and of Ireland, produces these bad effects, both on the morals and

*Mr. Flynn*

on the health of the community, and leads to a very large amount of disturbance and disorder. If anything could be done to diminish the terrible evils of intemperance, which undoubtedly arises from the consumption of new spirits, I think it should be done; and I believe that the Amendment which I have proposed would be a step in the right direction, and one which ought to command the sympathy both of the Committee and of the Government.

#### Amendment proposed,

In page 2, line 34, to leave out all the words after "gallon," and insert the words "of spirits which shall not have been in bond for a period of at least one year the duty of sixpence per proof gallon, and so in proportion for any less quantity."—(*Mr. Flynn.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

\*(5.8.) MR. GOSCHEN: I can assure the hon. Member that I have devoted a portion of the short time which has elapsed since last night's Sitting to a study of this particular question. I have been in conference with distillers from Scotland, and, although I desire to deal seriously with this question, I am not prepared to accept this Amendment in the form in which the hon. Member has put it. We must proceed with considerable caution in the matter. I can assure the hon. Member, however, that it is receiving most careful consideration. It would be necessary, for instance, to define the class of spirits which ought to be kept in bond. It is not all spirits that should necessarily be so treated. The Amendment may be desirable in the interests of whisky, but I am told that in the case of gin that spirit is as good, as far as health is concerned, immediately after manufacture, as it is after keeping it for a considerable time. I propose to have a scientific examination made on this question, and I, therefore, hope that the hon. Member will not press his Amendment.

(5.9.) MR. SEXTON: I am glad that the Chancellor of the Exchequer has determined to pay attention to this very serious question. But what he has stated in reference to the difficulty is a matter which, I think, might be dealt with in Committee. Of course, if gin stands in the position stated by the right hon. Gentleman, it could easily be

excepted from the operation of this Amendment. I contend that the interests of the Irish whisky manufacturers are seriously damaged by the lack of a provision such as is contained in this Amendment. This question has been a long time before the House. It is a complicated question, and I trust that now the right hon. Gentleman has entered upon an investigation he will be able to put a stop to the practice of which my hon. Friend complains, and I also hope that before next year's financial proposals are made we shall have communicated to us the decision at which the right hon. Gentleman has arrived.

\***(5.11.)** MR. GOSCHEN: Yes, Sir. I certainly will undertake before another year's Budget to announce my decision, but I hope to be able to deal with this matter even before then. I shall place myself in communication with the distillers of Ireland in the same way as I have communicated with those of Scotland.

**5.12.)** MR. J. O'CONNOR (Tipperary, S.): I desire to say I do not think the right hon. Gentleman has gone the right way to work in making inquiries into the matter if he has consulted only distillers.

\*MR. GOSCHEN: I have consulted others than the distillers, and am in communication with scientific authorities who may be able to throw some light on this subject. I desire to communicate with anyone who may be able to assist in this investigation.

MR. J. O'CONNOR: I am glad to hear from the right hon. Gentleman that he is in consultation with authorities other than distillers. I have a very great regard for distillers, but the right hon. Gentleman will forgive me if I impress upon him the serious importance of this subject, so far as the Irish people are concerned. I do not know whether the right hon. Gentleman is aware that the character of Irish whisky, when it gets fair play, is very high indeed. I do not know whether it is within his knowledge that very recently a great and distinguished monarch was kept alive for a very long period by the use of this stimulant, medically applied. I am told, on the highest authority, that the late Emperor Frederick was almost fed on Irish whisky during the latter months of his life. Experience proves that Irish whisky, when properly dealt with, pos-

sesses very valuable characteristics, but I am sorry to say that its character at the present time is very low indeed. In fact, the distillers and manufacturers have been driven out of the market by the adulteration of the article. Irish distillers, unfortunately for themselves, have a habit of selling all their productions in a new and raw state. The whisky is made from the very best materials, and it is able to resist the largest amount of adulteration; but when it gets over to England it is so mixed up with deleterious commodities that its character is destroyed. I have noticed that, as a result of this, in the great refreshment houses in the Metropolis, the demands for Irish whisky are only about one-ninth of those for Scotch whisky. That is a revolution which has been brought about in the trade during the last 15 years.

THE CHAIRMAN: Order, order! The hon. Member is surely straying very far from the Amendment before the House. This Amendment does not affect any particular whisky. It only provides for the keeping in bond of spirits for one year.

MR. J. O'CONNOR: I only want to point out that if Irish whisky is taken out of bond before it is 12 months old it is more liable to adulteration with deleterious compounds, and I believe if this Amendment were carried it would be an encouragement to Irish distillers to keep the spirit until it is perfectly matured. I am speaking, also, in the interests of the Irish barley growers. The population of Ireland is largely engaged in agricultural pursuits, and I believe that one effect of passing this Amendment would be to give the agricultural population a little better opportunity of meeting the many and weighty engagements which they are already under, and which they are about to enter into with the State. I have still another reason, and that is in connection with the health of the people at home. I am sorry to say, from my knowledge of the trade in Ireland, that the people engaged in distributing this drink to the poor buy, in most cases, the very newest and the very rawest spirits. They then reduce it to a very low degree—far below proof—and subsequently add to it a quantity of deleterious spirit in order to give it a strong

flavour, and to make it so that the customer can feel it going down his throat. Now, the spirit thus provided has a very bad effect on the health and on the morality of the people. New whisky taken out of bond is able to resist this reduction to a much greater degree than old spirit, and I think that the adoption of this Amendment would have a beneficial effect on the Irish people at home, by securing the destruction of the power to add to the spirit these deleterious compounds. We should get a more wholesome and a better article for the consumption of the people. I have for a great many years observed the evil effects produced on the people in Ireland by the use of new whisky, and I believe the Chancellor of the Exchequer and the Committee would confer great benefit on the people if they accepted this Amendment.

(5.21.) MR. DUFF (Banffshire) : This question affects Scotland as well as Ireland. I have among my constituents a considerable number of distillers. Of course, I do not claim many supporters among them, because I have never opposed the increase of the Spirit Duties. But I have had communication with many distillers, who have urged me to support this Amendment, I desire particularly to draw attention to the use of the German potato spirit. I am informed that it is no uncommon thing for the spirits to be blended in the Custom House, and for the German potato spirit to be used for this purpose. I am informed also that if Scotch whisky is kept in bond, for 12 months this adulteration with German spirit would become impossible. I, therefore, ask the Chancellor of the Exchequer for an assurance that he will put a stop to the custom of allowing Scotch whisky, adulterated with German potato spirit, to be sold in the open market as genuine Scotch whisky. I think the principle of Trade Mark legislation might very well be applied to the whisky trade, and I shall be glad to hear from the Chancellor of the Exchequer that he will not overlook this point.

\*(5.23.) MR. GOSCHEN : Proposals have already been made for preventing this practice, but I am afraid they have not been practical ones. I have asked the authorities at Somerset House to investigate this matter. I agree with the

*Mr. J. O'Connor*

general principle that Trade Mark legislation ought to apply to spirits as well as to other articles of commerce, and I hold that Scotch or Irish whisky which is largely composed of German potato spirit should not be sold as Scotch or Irish whisky.

(5.25.) MR. T. M. HEALY (Longford, N.) : I think that, after the expression of opinion by the Chancellor of the Exchequer, it will not be necessary for us to divide on this Amendment. We are aware, from what the Chancellor of the Exchequer has said on previous occasions on this matter, that he has a not unsympathetic mind. He has stated that he is examining into this question. We know that he has enormous sources of information at his command ; information which is largely of a Departmental character ; but I would suggest that he should come into more direct contact with the distillers. There is now a Committee sitting upstairs to consider the Trades Marks Amendment Act of last year, and I would suggest whether it would not be desirable to refer the question to that Committee, or to a Special Sub-Committee, in order to go fully into the matter. I am strongly in favour of temperance, and I think it is to the interest of everyone that pernicious spirits should not be sold. It is in the interest of temperance men, as well as moderate drinkers, among whom I number myself, that we should have reasonable and legitimate protection from the adulteration of Scotch and Irish spirits. I am very glad to think this question has made great progress since it was first brought forward by the late Mr. O'Sullivan. I think the Government are entitled to great credit for the action which they have taken in connection with the Merchandise Marks Amendment Act. It is a valuable measure to the commercial community, and I would urge on the right hon. Gentleman that this question of the blending of whisky, and the keeping it in bond, is one which, being as it is of an entirely non-contentious character, might very well be referred to a Committee, which could have before it rectifying distillers and others interested in the trade. I think an inquiry by such a Committee would very materially strengthen the hands of the Chancellor of the Exchequer in deal-

ing with the question of the importation of foreign spirits.

\*MR. GOSCHEN: I may state that the idea has passed through my own mind as to whether it would not be wise to refer this subject to a Committee upstairs. I thought it my duty to make the necessary inquiry into the matter myself; but I should be very glad to share with or pass over the responsibility to a Committee of this House. I will, however, communicate with my right hon. Friend the First Lord of the Treasury on the subject, but I think it right to add that, in my opinion, it would be well to refer this question, together with other similar matters in relation to the group of questions connected with the manufacture of whisky and other spirits, to the same Committee, should one be appointed; but, at the same time, it must be understood that this is not to interfere with the question of taxation.

(5.31.) MR. J. O'CONNOR: I think the right hon. Gentleman will be doing well in referring this question to a Committee, and I hope it will be a Special Committee, and by no means a large one. After what the right hon. Gentleman has said, I do not think it necessary to refer to another matter I was about to urge upon him with reference to the question of branding; and therefore I will only suggest the employment of a brand or mark, such as the letter B, on any blend, which distinctive mark should be continued up to the moment the Customs receive the goods.

\*(5.32.) MR. CHILDERS (Edinburgh, S.): I am extremely glad to have heard the statement just made by the right hon. Gentleman the Chancellor of the Exchequer, and I have no doubt that his promise will greatly facilitate the passage of the Bill.

(5.32.) MR. FLYNN: I feel grateful to the right hon. Gentleman the Chancellor of the Exchequer for the statement he has just made. I would suggest that in the inquiries he may make he should consult the Irish distillers, who are fully competent to furnish every information as to the character the Irish whiskies hold in the general market and the disadvantages to which they have been subjected by a long course of unfair treatment. I am glad of the reception given to my Amendment, and I wish to express my agreement with the hon. Gentleman the

Member for Tipperary that it would be better to have a small than a large Committee, and also that it would be better to have a Special Committee than to send the questions to be considered to the Merchandise Marks Committee. After what has now taken place, I ask leave of the House to withdraw my Amendment.

(5.34.) MR. T. M. HEALY: I venture to say that the statement made on behalf of the Government as to the appointment of a Committee to consider this question will materially reduce the number of Amendments to the Bill, but I should like to make one suggestion. We must, of course, recognise the enormous experience of hon. Members now sitting on the Merchandise Marks Committee; and, though I think we ought to have a separate Committee to inquire into this question, I would suggest that if the experience of some of the Members of the Merchandise Marks Committee can be brought to bear on the new Committee it would be a distinct advantage.

(5.35.) Amendment, by leave, withdrawn.

MR. FLYNN: I now rise to move, as an Amendment to this clause, the omission from page 2, line 35, of the words "United Kingdom," in order to substitute the word "England," the object being that the proposed increase in the duties on spirits should not fall on Scotland or Ireland. We say that this increase of the Spirit Duties is unnecessary, unjust, and uncalled for. It is uncalled for because there is no precedent for raising the Spirit Duties at a time when the Budget has shown a surplus. There was a rise in the Spirit Duties five or six years ago, when the right hon. Gentleman the Member for Mid Lothian was Prime Minister, and the right hon. Gentleman the Member for Edinburgh was Chancellor of the Exchequer; but at that time there was a deficit, which is not the case now. Again, we say that whisky is the national beverage both of Scotland and Ireland, though in Ireland it is not consumed to such an extent as in Scotland. Still, it is proportionately much more largely consumed in Scotland and Ireland than in England, and, therefore, the duty presses more heavily on the Scotch and Irish than on the English



people. Looking at the Return furnished by the Secretary to the Treasury, I find that taking the heads of the Customs and Excise Duties on spirits, together with those on wine and beer, in England, the amount is £20,140,000; in Scotland, £3,805,000; and in Ireland, £3,222,000; the average per head of the population being, in England, 14s.; in Ireland, 13s. 6d. and in Scotland, 18s. 10d. But when we turn our attention to the Excise Returns on spirits alone, we find that England pays 5s. 6d. per head; Ireland, 8s. 6d.; and Scotland, 14s. per head; while the amount of Excise Duty on spirits retained for consumption in the three countries, as compared with the total amount of duty from all sources, is 31 per cent. in England, 65 per cent. in Ireland, and 76 per cent. in Scotland. I would remind the House that when the then Government was defeated on this subject by a majority of 12, in 1885, on the Amendment moved by the present President of the Board of Trade, that Amendment declared—

“That this House regards the increase proposed by this Bill in the duties levied on beer and spirits as inequitable in the absence of a corresponding addition to the duties on wine,”

and so forth. How do the right hon. Gentleman and those who supported that Amendment reconcile that proposition with their present attitude in regard to this question?

\*(5.45.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I may answer that question at once, and the answer is that since then the duty on wine has been increased.

(5.45.) MR. FLYNN: It is hardly necessary to stop to inquire how far the votes and speeches of that time were animated by political and Party considerations, but I find that among those who supported the Amendment denouncing the increase of the Spirit Duties was the hon. Gentleman the sometimes Civil Lord of the Admiralty.

(5.46.) THE CHAIRMAN: Order, order! The hon. Gentleman should address himself to his own Amendment which proposes to allow the duty in England, but not in Scotland or Ireland.

*Mr. Flynn*

(5.46.) MR. FLYNN: Every Member of this House is anxious to have your experienced guidance, Sir, in matters relating to the business before the Committees of this House; and I shall not, therefore, go further than to express my surprise that hon. and right hon. Gentlemen on the opposite side can be found supporting the present proposal when they voted against a similar one in 1885. Looking at the question as a whole, we have this undoubted fact before us that the proposed increase of the Spirit Duty is viewed with great disfavour and dislike both in Ireland and Scotland. I think the Government are bound to make out to the satisfaction of the country that this increased duty is required. This they have failed to do, and, therefore, seeing the strong feeling which prevails in Ireland and Scotland against the proposal, I beg to move the Amendment I have placed on the Paper.

Amendment proposed, in page 2, line 35, to leave out the words “United Kingdom,” and insert the word “England.”—(*Mr. Flynn.*)

Question proposed, “That the words ‘United Kingdom’ stand part of the Clause.”

\*(5.48.) SIR J. M’KENNA (Monaghan, S.): I think the case is much stronger than it has been put by my hon. Friend, because not only does this increased duty affect England, Ireland, and Scotland unequally, without any corresponding duty being imposed on foreign wines, but between 1885 and now a considerable reduction has been made on the duties on foreign wines.

THE CHAIRMAN: I must point out to the hon. Member that the Amendment is against the imposition of the new tax in Scotland and Ireland, while it allows it with regard to England; but it is not directed against the tax altogether.

\*SIR J. M’KENNA: I am endeavouring to show that this additional tax is altogether unjust.

THE CHAIRMAN: The hon. Gentleman is not entitled to speak against the tax altogether.

\*SIR J. M’KENNA: I bow to your ruling, Sir, and would therefore now merely point out that the duty on the national beverage of Ireland is as 10s. compared

to 1s. 10d. on the alcoholic equivalent in the national beverage of England—beer.

(6.0.) The Committee divided :—Ayes 241 ; Noes 166.—(Div. List, No. 101.)

(6.12.) MR. FLYNN : The Chancellor of the Exchequer says that the proposal of my hon. Friend (Mr. Blane) would reduce the tax to 1-54th of the sum proposed in the Bill, and would, therefore, be a *reductio ad absurdum*. Perhaps he was not altogether wrong, but he cannot use that argument against the Amendment I now move, as it is of a very moderate character. I trust the Party opposite who say that they put this additional tax on spirits in the interests of temperance really have those interests at heart. If they have I think they will find no difficulty in accepting my proposal, which is to make the new duty 1d. instead of 6d., so as to proceed gradually. The Chancellor of the Exchequer has made out no case for the 6d. It is not justified by the state of public finances, for his Budget shows not a deficit, but a large surplus. The Scotch and Irish Members do not consider that a case has been made out for the 6d., and if the motley group who call themselves "Unionists" would only remember that this matter, after all, is really a Scotch and Irish one, and that the proposal of the Government is not necessary, I think they would find no difficulty in agreeing with us. Let the Committee consider what a large proportion of the Revenue on spirits is raised in Ireland and Scotland. We have a Return showing the incidence of taxation, and from that I will extract a few figures for the information of the House. I find that in 1881-1889 the number of gallons of spirits on which the duty was paid in Ireland was 4,826,352. The proposed increased duty, payable in Ireland upon this—supposing the consumption this year is about the same as last—would be £121,700 ; but if my Amendment were adopted that would be reduced five-sixths, leaving the increased revenue at £20,000. That, I maintain, would be a considerable addition to the taxation of Ireland, especially in view of the fact that you propose to put up the money for some years to come. The increase in Scotland under my proposal would be £27,000,

which is a large sum to extract from such a poor country. The increase in England under the right hon. Gentleman's proposal amounts to £572,807, a very respectable sum wherewith to commence this experiment. I do not adopt an extravagant view or speak in terms of unqualified censure of the scheme of the Tory Party. They defend this increased charge on broad and general principles, and I go with them to a great extent ; but I would suggest to the Chancellor of the Exchequer that he should advance slowly and steadily on the road he wishes to follow—that he should begin with an extra impost of 1d. instead of 6d. ; then, if he finds it work well, and finds that the people gradually get reconciled to the tax, he will be able to advance by progressive steps. In time the right hon. Gentleman would have no difficulty in getting the whole 6d., but the country would have faced the tax gradually, and we should have had experience in the way in which the money should be applied. I think the Government will be the first to acknowledge the reasonableness of the manner in which we are discussing these various Amendments and clauses, and I would urge on their attention the desirability from every point of view of accepting this proposal. The Chancellor of the Exchequer should forget for the moment that he is a Party man, and should remember only that he is the guardian of the Public Purse. If he does that, I think he will see the advantage of proceeding in this matter by gradual steps.

Amendment proposed, in page 2, line 37, to leave out the word "sixpence" and insert the words "one penny."—(Mr. Flynn.)

Question, "That the word 'sixpence' stand part of the Clause," put, and agreed to.

Question proposed, "That Clause 6 stand part of the Bill."

\*(6.22.) DR. CAMERON (Glasgow, College) : I have to move the rejection of this clause. The Chancellor of the Exchequer proposes to put a new tax on whisky without putting a new tax on beer. He has repeatedly told us in the course of these discussions that he

is imposing a new tax of 3d. on beer, that the extra 3d. was last year put on beer on the understanding that it would be taken off on the earliest possible occasion. If the Chancellor of the Exchequer argues that he has carried out any such undertaking he is playing with the brewers—he is deceiving them. He is taking off a tax with one hand and putting it on with the other. As a matter of fact, the relative taxation of beer and of spirits is an important factor in the international incidence of taxation. The right hon. Gentleman will not dispute that the relative taxation was arranged as far back as the year 1868, when the right hon. Gentleman the Member for Mid Lothian raised the duty on spirits to 10s. per gallon. You then had a Malt Tax. That Malt Tax has since been converted into a Beer Tax, intended to be its exact equivalent. The brewers made an outcry on the occasion of the change, saying that the proposal of the right hon. Gentleman would mulct them to the tune of some £800,000 a year, and the consequence was a change was made in favour of the brewers' contention. Subsequent experience, however, showed that the remission had been made in consequence of statements which were found to be incorrect, and, consequently, in 1889 the right hon. Gentleman re-imposed the duty on the basis on which it was originally proposed by the right hon. Gentleman the Member for Mid Lothian, and in order that there might be no mistake on the subject his words were quoted last night by the right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler). It is clear that the right hon. Gentleman (Mr. Goschen) intended to go back to the original scheme of the right hon. Member for Mid Lothian. The right hon. Gentleman tells us he imposes this new tax on spirit in order to rectify an unfair advantage which Scotland and Ireland are obtaining at the expense of England, owing to the distribution of the Probate Duties. When, however, the right hon. Gentleman made the allocation of the Probate Duties, he gave us not the smallest reason to think that the arrangement was not to be permanent. As a matter of fact, he anticipated an increase in the Probate Duties, and he put forward that anti-

*Dr. Cameron*

pation as an additional inducement to Local Authorities to accept his scheme. The right hon. Gentleman wants not only to take the increase back from us, but to impose a heavy fine upon us.

\*MR. GOSCHEN: I do not take it back. I do not understand the hon. Member.

\*DR. CAMERON: Well, the right hon. Gentleman does not take it back; but he leaves us a benefit of £56,000 and imposes a new tax, of which we shall have to contribute £76,000 more than we shall receive back, leaving us minus £20,000. The right hon. Gentleman has laid before us a Return which is very ingeniously drawn up so as not to show this. We shall benefit to the extent of  $\frac{1}{2}$  per cent. on the Beer Duty; but, according to the right hon. Gentleman's own Return, Scotland is called upon to pay £76,000 a year more than she will receive in connection with the new tax. This, I say, is a grossly unfair proposition. We have nothing to do with the increase in the Probate Duty, as the proportions of that duty were settled three or four years ago, and the right hon. Gentleman knew very well what he was about when he settled that proportion. The right hon. Gentleman challenged us with the alternative suggestion that the respective duties raised in the different countries should be allocated to each country in proportion to the amount obtained from them. I should accept the right hon. Gentleman's challenge gladly, because if his suggestion be adopted, Scotland will be £7,000 or £8,000 a year better off than she is now. According to the right hon. Gentleman's Return, while Scotland will only receive out of the Probate Duty a benefit of some £69,000 a year, she will have to pay under the Whisky Duty some £76,000 a year. Of course, the same argument would not apply to Ireland, and the right hon. Gentleman knows his offer could not possibly be accepted, inasmuch as we have no right to give up the Probate Duty as fixed. I move the rejection of the clause.

(6.40.) SIR G. CAMPBELL (Kirkcaldy, &c.): I hope we shall be allowed an opportunity of discussing this question properly. It is a question greatly affecting Scotland. I have

repeatedly challenged the Chancellor of the Exchequer to give us the figures to show what proportion of the Probate Duty is paid by the Metropolis, and England, Scotland, and Ireland respectively. We have the figures with regard to the Income Tax, and it is important we should have those relating to the Probate Duty. In the meantime, I do not wish to repeat the arguments used, but I think this clause will work great injustice to Scotland.

\*MR. GOSCHEN: I deny that there is any injustice to Scotland in the allocation of the new tax. What we propose is that we should follow the same principle in dividing this particular tax as we followed in respect to the Probate Duty.

\*MR. CHILDERS: What is required is a division in proportion to the extent to which each country contributes to the tax.

COLONEL NOLAN (Galway, N.): The Chancellor of the Exchequer could not possibly have picked out a tax which is so unfair to Ireland as the Probate Duty. I deny that the Returns upon which the money has been allocated are fair. Ireland, for instance, gets a less share of money than she would get if the Returns, which you signed when Secretary to the Treasury, had been adopted.

THE CHAIRMAN: Order! The hon. and gallant Gentleman is now entering upon the subject of the next clause—the question of the distribution of the money.

SIR G. CAMPBELL: The Chancellor of the Exchequer is not entitled to say that there has been a real increase in the Beer Duty, when it has been proved out of the right hon. Gentleman's own mouth by the right hon. Member for Wolverhampton that he has said that the transaction is a mere rectification of the mode of levying the duty.

MR. J. O'CONNOR: I have no doubt that the Chancellor of the Exchequer will claim the credit of giving Ireland a greater amount than her contribution entitles her to, but I desire to point out that, whatever benefit Ireland derives from some remission of taxation, it is taken from her with the other hand. It is true that in the whole scheme of the right hon. Gentleman Ireland is bene-

fited, to some extent, by the reduction in the duty upon tea, but then Ireland will lose in regard to the manufacture of whisky a greater amount than that which she will save by the remission upon the Tea Duty. We shall save by the reduction in the Tea Duty something like £105,000, but the right hon. Gentleman proposes to impose an additional tax of 6d. per proof gallon upon what I may call the native manufacture, namely, whisky. [MR. JOHNSTON: There is linen.] Yes, but the linen manufacture is confined to one corner of the country, while whisky is manufactured all over the country, even in Belfast. The increase that will accrue to the Chancellor of the Exchequer's next Budget will be something like £106,108, and that will more than counterbalance the benefit we derive from the remission of other taxation. This additional tax is put upon an article that is already overtaxed.

MR. FORREST FULTON rose in his place, and claimed to move, "That the Question be now put;" but THE CHAIRMAN withheld his assent, and declined then to put that Question.

Debate resumed.

MR. J. O'CONNOR: If the hon. Member makes the same Motion later on—at 12 or 1 o'clock—I do not think the Chairman will oblige the hon. Member.

THE CHAIRMAN: Order, order!

MR. J. O'CONNOR: If the hon. Member had been paying attention—

THE CHAIRMAN: Order, order!

It being ten minutes to Seven of the clock, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again this day.

TREES (IRELAND) BILL.—(No. 70.)

Considered in Committee.

(In the Committee.)

Clause 2.

Committee report Progress; to sit again to-morrow.

## PHARMACY ACT (IRELAND) (1875)

AMENDMENT BILL.—(No. 241.)

## SECOND READING

Order for Second Reading read.

Motion made, and Question proposed,  
 "That the Bill be now read a second  
 time."—(Mr. Johnston.)

DR. TANNER: I would not object to the Second Reading of this Bill if the hon. Gentleman would consent to refer the Bill to a Select Committee. There are many debateable points, and I think the best way of satisfying the claims of all parties would be to refer the measure to a Committee.

MR. SEXTON: There are, no doubt, debateable points, but I do not think it necessary to refer the Bill to a Select Committee. I would suggest that the Committee stage should be delayed until we have had an opportunity of considering all the points dealt with.

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I hope the House will allow the Bill to be read a second time. I have carefully gone into the details of the Bill, and I believe the Bill will afford a means of settling the question upon a satisfactory basis.

Question put, and agreed to.

Bill read a second time, and committed for Wednesday 11th June.

## INTESTATES' ESTATES BILL.—(No. 59.)

Bill considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again To-morrow.

## NEW WRIT.

For County of Donegal (Western Division), v. Patrick O'Hea, esquire, Chiltern Hundreds.

## ORDERS OF THE DAY.

## EVENING SITTING.

## CUSTOMS AND INLAND REVENUE BILL.—(No. 231.)

Bill considered in Committee.

(In the Committee.)

## Postponed Clause 6.

Question again proposed, "That Clause 6 stand part of the Bill."

(9.2.) MR. J. O'CONNOR: When you rose from the Chair, Sir, I was about to call the attention of the Committee to the fact that the proposed tax upon whisky as contained in this clause presses with unequal incidence upon the two sections of the population in Great Britain and in Ireland, and I alluded to the fact that it is a tax on what is essentially an article of Irish manufacture, and this may also be said of Scotland. The duty per proof gallon on beer, the drink of Englishmen especially, is 1s. 8½d; upon wine, it is 3s. 10d.; on whisky, it is 10s. Now, this is one of the grievances of which we complain, that the alcohol used by the richest of the three countries is taxed in the lightest manner. It is, I believe, a maxim of finance that taxes ought to press heaviest on those best able to bear them, and there can be no doubt that the people of England are, of the population of the three Kingdoms, best able to bear heavy taxation. England is more wealthy, her people are engaged in manufactures and industries of the more profitable kind, and occupy a more favoured position than do the people of Ireland. Yet the national drink of Ireland is taxed nine times more than beer, and three times more than wine. Wine is essentially the drink of the wealthy, yet it is taxed but a third of the rate falling upon the drink of the poorest people. A gallon of whisky costs, I believe, 3s., so that the tax upon it amounts to 333 per cent., and I maintain this is both unfair to producers and consumers. There is another phase of this branch of the question. Beer and wine cannot be adulterated in the same manner as whisky. There is an article introduced into this country called Hamburg sherry, and the importation is allowed with a Customs Duty of 2s. 6d. It contains 42 degrees of spirit of the worst and most deleterious character, and is a mixture of potato spirit and water, and yet this deleterious compound is allowed to come into the country with a Customs Duty of 2s. 6d., while on the same quantity of whisky at the same strength we pay 4s. 2½d. But that is not the worst of the case in regard

to Hamburg sherry. You cannot adulterate your beer with it or mix it with your wine, but it may be blended with the best whisky produced in Ireland and Scotland, and there is always a temptation to those engaged in the rectification and distribution of spirits to use this deleterious compound to mix with the wholesome spirit, because of the lighter duty paid upon it. Before I part from these facts I wish to point out another anomaly which appears from this Return supplied on the Motion of the hon. Member for Glasgow (Mr. Provand). From this Return I observe that the revenue derived from Customs and Excise Duties on wine and beer in England and Wales amounts to £28,379,567, and that number of pounds sterling about equals the population of England and Wales; that is to say, the amount derivable from Customs, Excise, and licences equals £1 per head of the population. I also find that the amount derivable from these sources in Ireland amounts to £4,689,814, which is exactly equivalent to the number of population, and £1 per head of population. Here is another injustice to the poorer country, in contravention of the maxim I have alluded to, that a tax should fall lightest on the weakest shoulders. These figures should have had the close attention of the Chancellor of the Exchequer, and when he made his proposal for this extra tax Ireland at least should have been exempted. Amendments have been proposed having for their object the exemption of both Scotland and Ireland; but I am confining myself to the question of Ireland, and I maintain these figures afford strong argument for such exemption, as they do for the omission of the clause altogether. If Members would disregard the claims of Party, and study this Return and the incidence of this tax, I am sure they would see the justice of my argument in support of my proposition that the proposal of the Government is unjust in its inception, and particularly unjust in its application to Ireland. One result of this clause of the Bill will be increased adulteration, by water or by the unwholesome spirit I have mentioned. When, in times past, whisky was taxed at only 2s. 8d. per proof gallon, there was no temptation to use bad grain in the manufacture or to adul-

terate the spirit; but the increased duty gave rise to the temptation, and by this addition the temptation will be increased. Not content with this increase of duty, you have proposed by legislation, to increase the cost of the dealers' licence, to restrict his hours of sale, and you render his right to renewal of licence insecure; and, as a climax, you add 5 per cent. to the tax on the chief article of his trade. This must inevitably lead to adulteration of the article sold. And now, to turn to another portion of the subject, the effect this proposal will have on an important industry in Ireland. I do not oppose this tax as it affects whisky simply; you impose this taxation on agriculture, the staple industry of the people of Ireland. The farmers of Ireland have many drawbacks, and have many heavy claims upon their agricultural profits. Already you have imposed a tax on the growth of barley of £80 an acre—a crop which is especially suited to the light soil of Ireland and the conditions of Irish agriculture. I know many parts of Ireland where the soil is suited only for barley and oats, and in those districts are distilleries where the farmers get fairly good prices for their grain, upon which your tax of 10s. a gallon on spirit is equal to £80 an acre. The Chancellor of the Exchequer smiles at this, and probably the right hon. Gentleman has in his mind that the public pay the tax; but if we had a lighter tax we should be able to produce whisky for export trade under more favourable conditions and double our output and our commerce. But you make an additional impost equal to £4 an acre on barley. Hitherto we have been able to maintain our own in the growth of barley; we have had serious competition from Canada and other large grain-growing countries, but notwithstanding, the barley grown in Ireland has had the preference from Irish distillers, and soil and climate are favourable to its perfection. But by this tax you encourage the foreign importation and increase the difficulties of the native grower. But this branch of the subject will be dwelt upon probably by some hon. Member better able to deal with it than I am. It is stated that this additional 5 per cent. tax on whisky is to be used for buying out publicans in Ireland. I

should not be in order if I dwelt upon this matter, and I will only express my objection to any publicans being bought out in this manner. In the future, if promised legislation should take effect, we will provide other and more suitable means of accomplishing this object than the method provided in the Bill. We believe that our publican friends have an equitable right to renewals of licences, and we will find some more equitable means of compensating them than that of adding to the taxation of the principal article of their trade. For these reasons I oppose this clause and shall support the hon. Member for Glasgow, in the belief that the clause is vicious in principle and will work evil to the interests of those I have the honour to represent.

(9.30.) MR. ESSLEMONT (Aberdeen, E.): I address myself to this clause from a wholly different point of view to that of the hon. Member who has just spoken. So far as Scotland is concerned, we have no desire whatever to press the point that we should, on account of our poverty, be taxed in any way less than those who constitute the taxpayers of the three Kingdoms, and I may state at the outset that, looking at it from our point of view, we have no objection *per se* to an additional tax upon alcohol. Our objection to the tax is founded on the injustice of the tax to Scotland. We find from statistics that are not contested by the Chancellor of the Exchequer, that although of the three Kingdoms Scotland is the most sober, that is to say, our people take the smallest quantity of alcohol, yet for this small quantity we pay a rate almost equal to that paid by Ireland. We take exception to this clause upon the fundamental ground that it is wrong to utilise Imperial taxation for local purposes. But admitting that there are two purposes for which the money is intended, our contention is that in equity it would be right to give this 6d. a gallon upon alcohol to Scotland; and if the sum raised upon alcohol is insufficient for the purposes of the United Kingdom, it would be just both to Ireland and to Scotland to put an additional tax upon beer and wine and not upon whisky. May I point out that the distillation of alcohol gives the least amount of employment in

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comparison with any other industry. I had intended making these remarks on the Second Reading of the Bill. I may add that I think the tax is unnecessary in another respect. We have contended that we might dissociate this Bill altogether from the increase of the duty upon alcohol, by putting a duty, if necessary, upon the licences themselves. This would entirely obviate the difficulty we are placed in in taking this money which is raised from the tax upon alcohol, and placing it, as far as Scotland is concerned, to a purpose which is obnoxious to the whole of the Scotch people. Therefore, we contend that even if the tax were necessary for a subsidy for these local purposes, it is entirely unnecessary if we impose the tax equitably for the purposes for which it is intended. In this respect I shall not continue the argument further, because it has been admitted (and the Chancellor of the Exchequer has not denied) that, so far as Scotland is concerned, the amount collected is unjust and inequitable. No one could read the speeches delivered from this side of the House without admitting the justice of the argument that we are taxing the poor man in the interests of the rich; and when we consider the purposes to which this money is to be applied, then this injustice becomes more apparent. Beer is, undoubtedly, consumed by a large class of the people in England who are better able to pay than the Irish taxpayer. As far as I am individually concerned, many of those whom I represent have no objection to this tax in the interests of temperance. But the question is, will it contribute in any large extent to the relief of local taxation? I should be sorry to represent to this House that we object to this tax upon other grounds than that it is inequitable, and that it is altogether unnecessary. The latter point is proved by the evidence of those who are imposing the tax. We are told that it is the direct result of the equalisation of the Death Duties in 1885, when the Conservative Party had in view self interests more than the interests of the poor. Well, the highest form of flattery is imitation. We contend that they are still putting this tax on unfairly, in the interests of the well-to-do, and applying it to purposes which, so far as Scotland is,

concerned, are obnoxious and extremely objectionable to the great bulk of the people. I shall feel it my duty to support the Amendment of my hon. Friend the Member for the College Division of Glasgow, and to oppose this tax as unfair to Scotland and unnecessary and objectionable in its incidence.

(10.40.) Mr. SEXTON: The Preamble of the Bill is the most daring work of fiction I have ever met with in the whole of my Parliamentary career. It recites that—

"The Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the Public Revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties hereinafter mentioned."

With regard to the clause at present before the House, not one word of that is true or resembles the truth. The fact of the matter is that those of the Commons who happen to be in the minority, so far from "freely and voluntarily" giving their votes, have them demanded by force and by Closure, and by all night sittings. The supplies which the Government are now asking for are not even an addition to the public revenue, for they constitute no part of the Imperial Budget, but are merely local expenses, which have nothing to do with Imperial matters. I need not point out that the few hundred thousand pounds that are to be applied this year represent what will be only a drop in the ocean of an ultimately accruing liability. I protest against the alienation of Imperial revenue in this manner as an evil innovation, and as a dangerous mode of applying Imperial resources. What is the genesis of the clause under discussion? Before the Chancellor of the Exchequer proposed to levy this increased tax upon the United Kingdom, and in a particularly burdensome manner upon Ireland, did he ask himself the question whether the whole contribution of Ireland to the revenue was enough at present? Did he ask—"Is it as much as she can bear?" "Is it too little or is it too much?" No; he never wasted a thought upon the question. He merely said to himself, "I want a million of money for England." Why did he want it? Because he was tormented by the

English County Councils, in consequence of the limitation of their resources, owing to his failure to pass the Van and Wheel Tax. We now find ourselves in the position that Ireland is called upon to pay for the Parliamentary reversals of the right hon. Gentleman. Having first obtained as much money as he requires for English interest, he allows Ireland to have the balance. I greatly regret that the right hon. Gentleman has not consented, pending the establishment of Local Government in Ireland, to strike out this country from the operation of the clause. I can show him in a moment that he might have agreed to suspend the question of fresh taxation in Ireland, pending the introduction of Local Government in Ireland, without any dislocation of his financial scheme. The gross produce of the additional tax to be imposed on spirits and beer would be £1,300,000. Ireland's total contribution would be £154,000, and if the right hon. Gentleman consented to forego the application of the scheme of increased taxation to Ireland, it would only decrease his resources by £154,000. He would still be enabled to spend £300,000 upon the superannuation of the police, £350,000 upon licences, and to give to the County Councils £356,000. But there are other reasons which justify them in giving their strenuous opposition to the clause. In the first place, out of the money to be raised in Ireland one-fourth will never be given back; secondly, the whole of the remainder of the fund will be appropriated to the purposes of the guarantee under the Land Purchase Bill (if it should ever pass), which we most emphatically condemn; and, in the third place, the sum of £40,000 a year, to be raised by this tax from Ireland, is to be locked up for an indefinite term of years. It is to be placed in the hands of the Commissioners for the Reduction of the National Debt. It is entirely a matter of speculation whether the present Government will ever attempt to pass a Local Government Bill for Ireland, and I shall protest in the most emphatic manner against the raising of £40,000 a year from Ireland to be left for some indefinite number of years in the hands of the Commissioners referred to, until this Government or some



successive Government are pleased to pass a measure of Local Government for Ireland. I shall also take exception to the scheme of the right hon. Gentleman, because it has been elaborated without consultation with any Irish Member of Parliament.

\*MR. GEDGE (Stockport): I rise to order. I ask you to rule, Mr. Courtney, that the hon. Member is not now in order.

THE CHAIRMAN: Undoubtedly the hon. Member is diverging from the subject, but not to such an extent that I can rule him out of order. He is only referring to these matters in passing.

MR. SEXTON: I wish to add to what I have already said, with reference to that portion of the scheme dealing with the money to be appropriated for the national teachers, that it is in my opinion a scheme which confers the least possible benefit in quarters where relief is most required. Another point entitled to attention is the contingent injury that will be done to Irish agriculture. It is true that the continual increase in the duty upon Irish whisky has grievously hampered the cultivation of Irish barley, but the present proposed impost will be a further hardship to the Irish farmer and to those who are dependent upon him, and it will still further grievously burden an Irish agricultural industry which has already a sufficiently hard struggle for life. I protest against any increase of the Spirit Tax in Ireland for any purpose whatsoever, because already the tax is grossly inequitable and oppressive in Ireland. I will go back as far as the year 1852. How did the Spirit Tax stand then? In Ireland it was 2s. 8d. a gallon, and in England 7s. 10d. The present Chancellor of the Exchequer argues that the proposal to differentiate upon the tax on whisky in England and Ireland is not business; but he cannot now see that not so many years ago it was business. For the last forty years Ireland, a country of decreasing population and of decreasing capacity to bear this fiscal burthen, has been the victim of a long and steady course of the most wanton fiscal aggression. In England during those years the tax has been increased from 7s. 10d. to 10s., but in Ireland it has been quadrupled. It was Mr. Disraeli who

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equalised the tax on spirits in England and Ireland, beer being the drink in England. And what is the result? The poor man who drinks whisky, which is the ordinary drink in Ireland and Scotland, pays six times as much on what he drinks as the man who drinks beer. The Chancellor of the Exchequer taxes alcohol to the utmost limit when he finds it in the whisky. Why does he not tax it to the same extent when he finds it in the wine and in the beer? There ought to be established some equitable relation in the principle of taxation. Upon the Chancellor of the Exchequer's principle that there is no equitable relation between the taxes on the different liquors, he may abolish the tax upon beer altogether, and make the Englishman altogether free; or, on the other hand, he may raise the money now wanted by putting a tax of another shilling on beer. Certainly Englishmen would not tolerate such a tax. Or he might raise the money by putting another shilling on whisky, which would prove intolerable to both Irishmen and to Scotchmen. The Chancellor of the Exchequer is very fond of saying that it is not because people drink hard that he ought to be expected to lighten taxation upon what they drink. The argument would perhaps be sound if it represented the fact, but as it stands it conveys a complete misapprehension. If there is hard drinking anywhere it must be in England, because the records show that in England the consumption of beer, wine, and spirits is 6½ gallons per head; in Scotland it is 4½ gallons per head; while in Ireland it is only 3 gallons per head. If the taxation were fair it would bear some relation to the consumption. But what is it? In England it is 14s. 1d., in Scotland it is 18s. 10d., and in Ireland it is 13s. per head, whereas it really should be, in England 14s. 1d., in Scotland 9s. 4d., and in Ireland only 6s. 3d. So long as the present disproportion exists I shall feel it my duty to continue to protest against this mean, aggressive, and disgraceful fiscal policy, which weighs down on the two poorer members of the Imperial partnership for the benefit of the richer party. My second reason for my opposition is that the Government have in the present financial year a surplus out of which they ought to have provided

for the purposes to be met by this tax. When the right hon. Member for Edinburgh proposed to increase the tax in 1885, it was to make good a deficit. He had no surplus. But this year the Chancellor of the Exchequer has a surplus of £3,500,000. He might have increased the duty on foreign spirits and raised £200,000. He might have transferred the 3d. a barrel on beer from Imperial to local revenues, and raised £326,000, giving a total of nearly £600,000. In order to make up the requisite £1,300,000, he could have taken £700,000 from the surplus. Ireland has been cheated out of her fair share of the surplus. According to a Return presented to Parliament, Ireland yields about 1-12th of the whole of the Imperial Revenue. The different partners in the United Kingdom ought to have the benefit of the surplus as nearly as possible in proportion to their rate of contribution, which would give Ireland, contributing 1-12th of the whole Revenue, £300,000. But this surplus is, according to the Chancellor of the Exchequer, raised in the main from the taxation on spirits, of which Ireland provides one-sixth; so that she is entitled, contributing, as she does, 1-12th of the whole Revenue and one-sixth of the entire taxation, to something between £300,000 and £500,000. What does Ireland receive? There is £300,000 for barracks, about which I am very careless. We can always have barracks. There is £120,000 for the Volunteers; but the Volunteers are a forbidden force in Ireland. There is £180,000 for cheapening the postage between this country and India and the colonies; but Ireland's commercial relations with India and the colonies are not very extensive. Ireland's interest in the Plate Duty is *nil*. Her interest in the Currant Duty is represented by £5,000 a year. The House Duty is a cypher. It is idle to argue as to the contributions to education and police. The cost of the police is great, because it is maintained as an Imperial and Military Force.

\*MR. GEDGE: I rise to order. I ask the Chairman to rule that the hon. Gentleman is out of order in discussing these matters on the question whether the Excise Duty on spirits shall be made equal to the Customs Duty.

THE CHAIRMAN: The hon. Gentleman is entitled to use these arguments.

MR. SEXTON: I argue that double as much is taken from Ireland as she can afford. A part of it is spent in Ireland upon Imperial establishments, which are bloated establishments, which are always costly, which are often corrupt, and which are maintained in Ireland at a strength and upon a scale which would not be necessary if the system of government in Ireland were in accordance with the wishes of the Irish people. The only benefit Ireland derives from the surplus is in relation to the Tea Duty. At first I thought this would represent £150,000. But I find by a Treasury Return that the Tea Duty paid in Ireland was about £300,000 a year, the remission of one-third of which would represent £100,000. My last point is—what does Ireland contribute, and what is Ireland obliged to contribute, in excess of her real capacity? I should like to guide myself by the light which the Chancellor of the Exchequer will throw on taxation of this kind, and I should like to ask him respectfully whether he has formulated in his own mind any principle to guide him with regard to the relative capacity of the countries, which are partners in the United Kingdom, to contribute to the common purse. We shall have to press the question and get a practical conclusion upon it. - Mr. Giffen has calculated that if you take England and Ireland, and if you test the relative capacity of the two countries to contribute to Imperial taxation by the relative wealth of the two countries, the amounts of amassed capital in England and in Ireland, the capacity of Ireland is only 4 per cent. of the capacity of the United Kingdom. The right hon. Member for Mid Lothian proposed in 1886 that Ireland should contribute 1-15th of the Imperial Revenue, but I have no doubt the right hon. Gentleman was prepared to consider that provision in his Bill had it reached Committee in a just spirit; but, at any rate, the Irish Members were prepared to argue that the proportion was excessive. I ask attention to the Return of the incidence of taxation of May the 7th. It appears by that Return that England contributes slightly in excess of four-fifths of the whole Imperial Revenue. Ireland contributes 1-12th

of the whole. What test does this enable him to apply to ascertain whether or not the contribution of Ireland is fair? I cannot apply the test of indirect taxation, because indirect taxation, though nominally of the same amount in both countries, might be made to press unfairly upon one of them by being directed against one particular article. So that, though the two countries are placed together in fiscal partnership, the whole burden might be placed upon one. This was, I think, a clear and conclusive argument to the fallacy urged that a tax must be fair because it is the same in both countries. The Returns afford a very instructive test in the matter of direct taxation. England contributes 81 per cent. of the whole Imperial Revenue. The Return shows four heads of direct taxation. The first is Probate Duty. By the calculations for the current year England yields to the Imperial Revenue 87 per cent. of the whole Probate Duty. That she yields 81 per cent. to the Imperial Revenue and 87 per cent. of the whole Probate Duty, and therefore her contribution to the Imperial Revenue, judged by the Probate Duty, is light. The second head of direct taxation is Excise Licences. Under this head England contributes 86 per cent., and, judged by this, it is plain that her contribution to the whole Imperial Revenue is light. Under the head of stamps the contribution of England is 89 per cent. and her contribution under the head of Income Tax is 87 per cent. These four heads show one concurrent result, that the capacity of England to yield to the Imperial Revenue is greater, as judged by those tests, than her whole contribution—Probate Duty, 87 per cent.; licences, 86; stamps, 89; Income Tax, 87; and her whole contribution, 81. Now, turn to Ireland, and the demonstration is also concurrent and conclusive, but emphatically conclusive, the other way. The contribution of Ireland to the Imperial Revenue is 8 per cent. of the whole of what is her contribution to the Probate Duty, which is a fair test, and means the duty levied upon accumulated wealth left at death by individuals. Ireland's whole contribution under the Probate Duty is only  $4\frac{1}{2}$  per cent. The contribution of Ireland under Excise Licences is 4·7 per

*Mr. Sexton*

cent.; under stamps a very fair test of the wealth and prosperity and thriving character of a community, her contribution is only 3·7 per cent.; and, more conclusive than all, the Income Tax test, Ireland contributes to the Income Tax only 4·4 per cent. If we take these average tests of the capacity of Ireland to contribute to the Imperial Revenue, we have it plainly demonstrated under the four heads that the contribution of England is the lighter tax. If ever the matter is mathematically demonstrated I think it is demonstrated by those figures. Judged by these four tests the contribution of Ireland to the Imperial Revenue is double what it should be. For this reason I object to any increase of the Imperial charge upon Ireland for any purpose whatever. Steps should be taken to reduce the contribution of Ireland to one-half of its present amount, and I ask for a special inquiry into this subject. I claim, as a matter of right, that a Select Committee of this House be appointed to consider the incidence of Imperial taxation at the present moment in Great Britain and Ireland, and I ask the House to suspend the portion of the proposal in regard to increased taxation, so far as Ireland is concerned, until that Committee has reported whether the present incidence of taxation on Great Britain and Ireland is tolerable or fair, and what steps should be taken if the burden is found to be undue in the case of Ireland to reduce her contribution to such an amount as will appear to be a more just contribution from the relative capacity of each country to contribute to the common purse of the United Kingdom. I can hardly believe that they will venture to support the omission of the clause. I would remind the Committee that we have already passed Clause 4, dealing with foreign spirits, and to that the present clause, dealing with home-made spirits, is a necessary corollary. If Ireland is treated differently from England in this matter she will have to be treated as a foreign country in order to prevent spirits, on which a lower duty has been paid, from being smuggled into this country. The cargoes of Irish ships trading to this country will have to undergo inspection, and the whole process to which foreign vessels are subjected by the Customs.

Authorities will have to be applied to Irish vessels. With regard to Ireland being overtaxed by direct duties, I would point out that assessed taxes and House Duty are not paid in that country, and that Income Tax is 25 per cent. lower there than in England. ["No!"] As to indirect taxation, the remedy is in the hands of those who pay it. For instance, Guinness's stout is made in Dublin and is a favourite beverage in England, and I would suggest that if Irishmen do not like paying the increased duty on whisky they should drink their own stout. It is not the people who are taxed under the system of indirect taxation, but the commodity, and therefore those who object to the tax have only to refrain from the consumption of the commodity.

\*(10.40.) MR. SYDNEY GEDGE: It seems to me that the interesting and elaborate arguments to which we have just listened might have been appropriate to some large proposals dealing with the question of taxation generally, but are hardly pertinent to the clause before the Committee. The point of this clause is to put 6d. per gallon on home manufactured spirits, and, if the clause is struck out, there will be no extra duty on home manufactured spirits, whilst it will remain on spirits of foreign manufacture. Those who support the Amendment, knowing what its effect will be, in reality become Protectionists, and I should hardly have expected to find a proposal to omit this clause supported by hon. Gentlemen opposite, who pride themselves on being Free Traders. The hon. Member has argued as if spirits were the only drink and whisky the only spirit. The additional duty is to be put on brandy, gin, and rum, as well as whisky, and if the Irish do not like the extra duty upon it, they can avoid payment of this extra taxation by drinking their home manufactured Guinness' stout.

(10.48.) MR. HUNTER (Aberdeen, N.): Before I say anything in the nature of hostile criticism upon this clause, I wish to say that the one redeeming virtue of the policy of the Chancellor of the Exchequer is, that he recognises in the collection and distribution of these taxes the principle of nationality. It is

somewhat remarkable that a gentleman who prides himself upon his antipathy to Separatist tendency, should have introduced the principle into national finance. For the right hon. Gentleman proceeded upon the principle that, in providing assistance to local purposes, he should take not the individual, nor the county, but the unit of the nation; and having ascertained the proportions in which revenue is derived from Scotland, Ireland, and England, he recognised the principle that these nations as nations are entitled to recover in the form of local assistance, as nearly as possible, the sum which they have contributed to the Imperial Exchequer. Under that blessed *régime* we should have a little annual income of nearly £750,000 in Scotland, which would be most convenient when the time comes, as it will come, when we have a separate Legislature as well as a separate finance. One objection I have to the clause is, that the 6d. duty on whisky is imposed on Scotland for purposes which Scotland does not approve, but, on the contrary, reprobates and condemns. In the Division on the Second Reading, we had an opportunity of ascertaining to what extent Scotch opinion supports the views of the Chancellor of the Exchequer. On that occasion, out of 72 Scotch Members, only 23 supported the Government. Therefore, on the threshold of the controversy, we have the principle of nationality recognised, and it follows that the money ought to be distributed according to the opinion of the people of Scotland. A two-thirds majority having condemned the distribution proposed by the Government, only one of two courses is legitimately open to the Government—either to drop the clause as regards Scotland or to agree to distribute the money according to Scotch opinion. The right hon. Gentleman has achieved the almost miraculous feat of rousing the opposition of every class in Scotland. By this clause he has alienated those who drink whisky; by the proposal to compensate publicans he has alienated the Temperance Party; and by giving the money to buy out licences, instead of giving free education, he has alienated all included in the category of the friends of education. The sum given to Scotland—less by £60,000 than it ought to be—is

admitted to belong to the people of Scotland. I have no hesitation in saying that the great majority of the people of Scotland would rather that the £50,000 with which it is proposed to buy out publicans in Scotland were dropped into the sea. I am, therefore, curious to know upon what principle the right hon. Gentleman is first to distribute the money according to nationalities, and then refuse the people of Scotland the application of the money as they desire. I congratulate the Government on having got a splendid cry for the next election. The first cry will be the pensioning of the publicans, and the next will be the cry of spoiling the schools, for the £50,000 is exactly the sum required to complete free education in Scotland. So distributed, you take the money from one class of persons and give it to another, thus robbing Peter to pay Paul. I would point out to hon. Gentlemen opposite that there is no Party so much interested in opposing the sort of legislation which has become the characteristic of the right hon. Gentleman's finance. If you raise taxes merely in reference to the annual expenditure of the nation you have some kind of check on the vagaries of the Chancellor of the Exchequer. But if you adopt the principle of this Bill you adopt a principle which, as it may be applied some day, will be most disastrous to the institution of private property. I know the right hon. Gentleman may contend that hitherto he has been taking money from the masses and giving it to the classes; but a Government may arise that is constituted on a different principle, and they may say that their duty is to fleece the classes in order to relieve the misery of the masses. They will be able to quote this and other Budgets of the right hon. Gentleman as sanctioning the very dangerous principle of using the power of the State for the direct and intentional purpose of taking money out of the pocket of one man and putting it into the pocket of another. The Chancellor of the Exchequer, by a shrug of the shoulders, appears to indicate that he denies he is taking money from the masses and giving it to the classes. Excepting at the two extremes, the principle of local taxation is extremely fair and just. Then, as to indirect taxation, a man

*Mr. Hunter*

pays in proportion to what he consumes, and, therefore, the taxation falls heaviest on the poor man. It is manifest that, by the enormous extension we have given to the principle of indirect taxation, we are imposing an enormous and excessive burden upon the poorer classes. I, for one, will never vote for the extension of such taxation by a single farthing. I undertake to say that the amount of revenue obtained from spirits and beer alone is more than a fair contribution to the Revenue of the country which the working classes ought to be called upon to make. Therefore, in order to do even-handed justice, we ought to abolish the duty on tea, coffee, tobacco, and dried fruits.

\* (11.2.) MR. GOSCHEN: I shall not follow the hon. Gentleman on the general subject of the amount of taxation which ought to be paid by the consuming classes. That is a very wide subject, upon which I do not propose to embark. But the hon. Gentleman said we are making splendid election cries for the opposite side. He suggests that the Government are spoiling the schools in Scotland by the allocation of this money. But who is it that supplied the funds for making education free in Scotland? The hon. Member and other Scotch Members have forgotten what I, as a Chancellor of the Exchequer, have not forgotten—that Scotland will be entitled to a considerable sum next year when the Government come to deal with assisted education. It will then be seen whether the Government have spoiled the Scotch schools. But I turn from the speech of the hon. Gentleman to the far more important speech of the hon. Member for Belfast. The point of the whole speech of that hon. Gentleman is that Ireland is overtaxed, that her contributions to the Revenue are in excess of what Ireland ought to pay, and that Ireland does not receive back her fair share. The hon. Member wants to know whether the yield from Probate Duty, Income Tax, and stamps is not a fair criterion of the taxpaying capacities of the two countries. Well, it is an element of course, but not the only element. The hon. Member thinks that if the Probate Duty is 88 per cent. in England and 4 per cent. in Ireland it

proves that the wealth of England is 88 per cent. and that of Ireland only 4 per cent. According to the hon. Gentleman, if there are in one country 10 individuals who possess £100,000 apiece, and 10 in the other who have only £10,000 apiece, while the rest of the population is very much in the same position in both countries, the proportion of taxation should be as 10 to 1. But it is clear that we cannot take the test only of the upper portion of the population; we must look to the other taxpaying classes. The hon. Member is aware that while the population in Ireland is  $12\frac{1}{2}$  per cent., her contributions are only 8 per cent. There are other matters that go to show the wealth of a country besides its contribution to Income Tax. It does not follow that because there is so great a disparity in the wealth of the upper strata of society in England as compared with Ireland, as shown by the Income Tax payments, that the same disparity exists throughout the population generally. Having regard to bank deposits and other indications, it appears that the population of Ireland is well able to contribute its share to Imperial expenses, from which, as in the case of the reduction in the colonial postage, it will benefit as much as the other parts of the Kingdom. [Mr. SEXTON: Ireland has no commerce.] It is not only the commerce of the country that will gain by the reduction of the postage, but it is individual correspondents; it is the poorer classes who have friends in the colonies, and with whom they correspond. The hon. Member spoke of the Tea Duties, and wanted to minimise the benefit which Ireland will get. Ireland will gain precisely in proportion to the tea she consumes. The only real objection Ireland can take is in regard to the House Duty.

MR. SEXTON: I decline to admit that argument. I say you should not, in the first place, exact from her more than her share.

\*MR. GOSCHEN: The hon. Member not only said he declined to admit that argument, but I think he denied the force of the argument. I have gone through the Estimates clause by clause, and I shall be prepared to lay a Return on the Table, which, I think I may say, will show that without exception in

every class of the Estimates Ireland receives a much larger share of the Imperial Revenue than she contributes. I can give the hon. Member one specimen.

COLONEL NOLAN: How about Museums?

\*MR. GOSCHEN: Yes, for public buildings. She receives more than her share. For education she receives 16 per cent. instead of the  $12\frac{1}{2}$  per cent. she is entitled to. For school buildings England and Scotland receive 74 per cent. and Ireland 26 per cent.; for reformatory schools England and Scotland receive 73 per cent., whilst Ireland receives 27 per cent. instead of  $12\frac{1}{2}$  per cent. And so it goes on in nearly every item. The hon. Member asks that there should be a Committee to review the taxation of Ireland. I will consult my right hon. Friend, and I think we shall be prepared to grant an inquiry into the financial relations of the two countries. I do not want to exclude Scotland, and I think hon. Members from both countries will see that we are anxious to meet them. I cannot pledge myself without further consulting my leader on the subject, but we shall be glad to throw as much light as possible on the financial relations of the two countries. Hon. Members will see at once that it must be a full and proper inquiry, but of course we cannot consent to hang up this additional 6d. until the inquiry is complete. Of course, if the inquiry should show that injustice has been done to any part of the United Kingdom, steps will be taken to afford redress. I trust that, as I have made this statement, hon. Members will not think me wanting in courtesy if I do not enter at greater detail into the other points they have touched upon. The hon. Member for West Belfast has asked on what principle we tax alcohol in whisky more severely than alcohol in beer. It is not a conclusive answer to say that this principle has been accepted by all Governments hitherto, but that is the case, and we could scarcely raise the whole question of the relative taxation of alcohol on this Bill. We hope the imposition of the additional tax will not cause the illicit distillation which the hon. Member seems to fear; and we hope that, by extending the inquiry to the modes in which whisky is made, we

shall get rid of any fear that there will be a further deterioration in the materials used in the distillation. I hope hon. Members will see that my proposal is reasonable, and that I have endeavoured to meet them in a spirit of courtesy.

(11.24.) MR. DILLON (Mayo, E.): I think we have every reason to congratulate ourselves on one result of the masterly discourse delivered by my hon. Friend the Member for West Belfast (Mr. Sexton), a result which we have long sought to achieve, namely, the inducing of the Government to consent to the appointment of a Committee to investigate the financial relations of England, Ireland, and Scotland. We are prepared to face such an inquiry, and we believe it will have the very best possible results. I am delighted that an opportunity has at last been afforded me of laying before the Committee my views of the case of Ireland against any increase in the Spirit Duty. My task has been very considerably lessened by the speech of my hon. Friend the Member for West Belfast, who most lucidly went over a great portion of the field I had proposed to traverse myself. The Chancellor of the Exchequer has not satisfactorily answered any of the objections made by my hon. Friend against the distribution of the surplus. One-sixth of the surplus of £1,800,000 was contributed by the Irish people, and, instead of one-sixth, we have got 1-35th part, or less than a fifth of what we are entitled to. It is preposterous to suppose that Ireland will obtain much relief from the reduction in the postage to India and the colonies. I should say that hardly any of the letters passing between this country and India come from Ireland. One remark made by the Chancellor of the Exchequer was perfectly astounding. He said that the poorer classes in Ireland were more able to contribute to the taxation than the poorer classes in England. Did anyone ever hear a more preposterous idea exhibiting more ignorance of the position of the two countries? If it be true that there is this shocking, this sad distinction, between the upper classes of England and the upper classes of Ireland, that difference is increased threefold when we come to the poorer classes.

*Mr. Goschen*

I venture to say that if a real inquiry were made before a Committee it would be found that the mass of the labouring people of Ireland are not in a position to pay taxes at all, and that an honest system of taxation would pass them over altogether, for many of them are without the ordinary necessities of life. They are not a population which ought to be taxed for Imperial purposes. The present proportion—and this I conceive to be an argument against any increase of the Spirit Tax in Ireland—the present proportion between the amount contributed to the Imperial Revenue by Ireland and Great Britain is grossly unfair. I need not go at length into an argument which has been so well set out by my hon. Friend; but as some doubt has been thrown on the question, although there has been no attempt to reply to the argument as a whole, I will quote an authority which I think will be generally accepted. Four years ago no less an authority than Mr. Giffen said—

"Ireland is overtaxed in comparison with Great Britain. It contributes twice its proper share, if not more, to the Imperial expenditure of this country."

This and the facts with which Mr. Giffen sustains his statement ought to dispose of the question, and I do not propose to say another word in support of the proposition that it is an admitted axiom that Ireland contributes double her just proportion to Imperial resources.

\*MR. GOSCHEN: I have not admitted that it is an admitted axiom. It remains a disputed proposition.

MR. DILLON: I do not mean to say the right hon. Gentleman admitted it, but I have quoted high authority for the view we have endeavoured to maintain by argument. Having laid down that proposition I inquire, how has this unequal distribution come about? The machinery by which this has been achieved in an ingenious manner is this Spirit Duty. The fact is, that by the policy of constantly increasing the Spirit Duty, the burden of taxation has been shifted from off the shoulders of the British people on to the shoulders of the unfortunate peasants of Ireland, and the present proposal to increase the Spirit Tax still further is only one more step in a long-continued course of injustice towards the Irish

people. What is the history of the Spirit Tax? In 1825 the tax was 7s. in England and 2s. 10d. in Ireland; in 1840 it was 7s. 10d. in England and 2s. 8d. in Ireland; in 1855 it was 8s. in England and 6s. 2d. in Ireland; in 1858 it was 8s. in both countries; and in 1860 it was 10s. in both countries. And note this remarkable fact, which accounts for our persistent opposition to the increase of this tax, that, unlike the Income Tax, once it is increased there is never a reduction subsequently made. We complain that when surpluses occur the Government of this country use them for the purpose of relieving the taxes which weigh on the people of England, while all the time they are increasing those taxes which weigh most heavily on the Irish people. In 1864 there was an important inquiry which, owing to the want of activity on the part of the Irish Members of that day, did not produce the results which might have been expected from it. The facts adduced before the inquiry were most extraordinary. When the Act of Union was passed, the Irish Lords protested against the proportion of taxation which it was sought to impose upon Ireland, and asserted that the utmost Ireland could pay would be in the proportion of one to 13. During the first 16 years after the Union the utmost that the Government of the day, by every form of taxation which human ingenuity could invent, could raise from the people of Ireland was 1-13th of the whole. At that time Ireland had a population of exactly one-half that of Great Britain. At present Ireland's population is one-sixth, while the wealth of Great Britain is threefold higher per head than that of Ireland. From these figures it is clear that Ireland is now paying more than she was at the time of the great wars at the beginning of this century. In 1831 Ireland contributed 1-13th; in 1836, 1-12th; in 1847, the year of the Irish famine, 1-11th; in 1857, 1-10th; and in 1862, 1-9th. When people speak of the poverty of Ireland they should remember that, not only the Irish land system, but this terrible and insupportable taxation is one of the most fertile causes of distress. Taking a period of 50 years, from 1816, the remissions of taxation in Great Britain

amounted to £72,000,000, while the new taxes imposed amounted to £35,000,000, leaving a balance of remissions of £37,000,000. In Ireland during the same period the remissions of taxation were £5,488,000, the taxes imposed £4,981,000, leaving a balance of remissions of £507,000, or only £500,000 as compared with £37,000,000 in the case of Great Britain. In other words, there is a balance of remissions in the case of Great Britain of 98-63 per cent., and of 1-37 per cent. in the case of Ireland. Throughout the whole period since the cessation of the great wars the history of the finances of this country displays an almost unbroken course of remission of taxes which weigh heavily on the people of Great Britain, and of increases of taxes which weigh most heavily on the people of Ireland. The consequence is, that Ireland now pays five times as much towards the Imperial Exchequer in proportion to her resources as she did in the time of the great wars. The increases have been made principally upon spirits and tobacco. This year the first duty of the Chancellor of the Exchequer should have been to make some remission of the duty on one or other of these articles, and thereby to redress a monstrous grievance suffered by the people of Ireland. I conclude my observations on this portion of the question by calling the attention of the Chancellor of the Exchequer to the observations he made in 1888. He said—

"I am always anxious, apart from political differences, which separate us from many of the Irish Members, to do full justice to Ireland from the financial point of view."

What has the right hon. Gentleman done since then to do full justice to Ireland from the financial point of view? After that statement we find him repeating the very acts which created that financial injustice and imposing a new tax in spite of the Irish Members. The Chancellor of the Exchequer, when pressed on this point, takes refuge in the argument that we get back taxes to Ireland in extra grants on the Votes in Supply, on light railways, and draining bogs. The Irish Members repudiate that argument. We want fair-play and justice. We do not want to have money wrung out of the poverty of the people by unjust



taxation and then cast back to us as an act of charity. We are not allowed to control the education of our children. Perhaps the right hon. Gentleman will say that the money is spent on criminal prosecutions, on Judges, Resident Magistrates, and the Army in Ireland.

\*MR. GOSCHEN: I should never use that argument. I believe if we were to withdraw 20,000 men from Ireland it would be regarded as a fresh grievance. There is always a remonstrance against withdrawal.

MR. DILLON: I know there is a remonstrance, but a remonstrance was never heard from me. The remonstrance is made by certain traders who make a little money by their presence. If you withdraw your whole garrison, they may go, with my blessing. I say the money spent on the military never brought any good to the country. But putting that question aside, the Chancellor of the Exchequer has used the argument that we get more than our share in the Votes of Supply. Those Votes are offered as bribes to keep our people quiet. We do not want these Votes. If you adjust the taxation between England and Ireland we want to pay our just share towards the taxation of the country. If this is done it will not be necessary to give Ireland any more than her just supply in the future. What the Irish people want is to have the control of their finances beyond what you need for the Imperial Exchequer, and we will make it go further than you can.

(11.55.) MR. J. MORLEY (Newcastle-upon-Tyne): I think that if any justification were needed for the pertinacity with which last night, or rather, at an early hour this morning, we insisted on the discussion of this clause, that justification would be found in the very important, and, I may say, satisfactory announcement which the Chancellor of the Exchequer has made, speaking, I presume, on behalf of the Government, practically undertaking that this Select Committee is to be appointed, if not this Session, at latest at the beginning of next Session, to consider the vital question of the real nature of the burdens borne by the three Kingdoms. We are amply justified, and I trust that after this nothing will be said about obstruction. Everybody who listened to the extremely able

*Mr. Dillon*

and full speech of the hon. Member for West Belfast must feel how much both Great Britain and Ireland would have lost if that speech had not been made, and this important undertaking had not been got from the Chancellor of the Exchequer. The hon. Member for West Belfast said that on consideration the figure which was fixed in the proposals of 1886 as Ireland's contribution to Imperial charges he believed to be too high. The right hon. Gentleman the Member for Mid Lothian at the time thought that the figure which he proposed was one which would need further consideration in Committee. The Irish Members have made out a *prima facie* case for their proposition that Ireland has been unjustly and injuriously treated, and the Chancellor of the Exchequer admits that they have made out a *prima facie* case.

\*MR. GOSCHEN: I did not say so.

MR. J. MORLEY: The right hon. Gentleman did not say that; but if he did not think something of the kind, is it to be supposed that he would consent to the appointment of a Select Committee? No further justification is needed for the prolongation of the discussion and the opposition to the tax.

\*(12.5.) MR. GOSCHEN: I cannot congratulate the right hon. Gentleman upon the way in which he has received the Government's concession. He has mainly made use of it for the purposes of political capital in pointing to it as a justification of the transactions of last night. But I could have made my announcement on behalf of the Government equally well at half-past 12 last night, and there have been ample opportunities before for the interesting speeches which have been delivered during the day, and which might have obviated a good deal of unnecessary argument if delivered before. The right hon. Gentleman assumes that a *prima facie* case has been made out; but surely there are many cases where it is simply desirable to clear up a question, and where those who assent to an inquiry are by no means prepared to assent to the allegations made. I entirely deny that a *prima facie* case has been made out, but I have long thought it desirable that the sense of injustice which is expressed by Irish Members should be removed.

(12.10.) **MR. J. MORLEY:** I did not intend to import any unfair spirit into my remarks. My real reason for congratulating the Government on the announcement which has been made is because the first step towards carrying out a Home Rule policy is to obtain a financial adjustment between Great Britain and Ireland which will be accepted by both countries; and such an adjustment can only be arrived at by means of a Select Committee of the House, in which the country will have confidence.

(12.11.) **SIR G. CAMPBELL:** It is unfortunate that the right hon. Gentleman did not make his declaration at 12 o'clock last night; it might have saved a long Debate.

\***MR. GOSCHEN:** I might have done so, but you would not allow us to come to the clause.

**SIR G. CAMPBELL:** As a matter of fact, we did enter on the consideration of the clause, and if the right hon. Gentleman had made his announcement last night we might have been saved 24 hours' wrangle. But on the principle of better late than never, and of not looking a gift horse in the mouth, I, as a Scotch Member, thank the Chancellor of the Exchequer for his concession, and I am sure that the inquiry will show that Scotland pays enormously more than her share to the taxation of the United Kingdom.

(12.12.) **COLONEL NOLAN:** I do not want to reproach the Chancellor of the Exchequer with want of reason last night now that we find him reasonable to-night, but it appears to me that it does not make much difference so long as we have this extra tax put on. Committee or no Committee, we are to have the tax all the same. But I deny the Chancellor of the Exchequer's argument that Ireland gets a return benefit in the shape of Imperial expenditure. For instance, as regards the Navy, compare the expenditure that occurs in connection with the Navy; no share of this comes to Ireland. There are no large public buildings in Ireland on which we get a share of expenditure, unless you can include police barracks in the description; we have no such institutions as the British Museum, South Kensington Museum, and such-like places. In

education we get a slightly better share proportionately than England, but it is only slightly better, and the reason is simple. It was part of the English education policy in giving education of a denominational character to stick the schools close together, not putting a proper distance between them, and hence it was that the extension of education became so expensive. I differ from my hon. Friend the Member for East Mayo, and think we do get some advantage from the expenditure upon the Army in Ireland. I do not mean to say the expenditure is so advantageous as it would be if spent on education; still, we get a certain percentage of the expenditure, though the greater portion of the expenditure is made in England. In Civil expenditure, too, Ireland enjoys but a very limited share, except in expenditure on the judicial system, and this, of course, is the result of the old system of bribery, by means of which the people were governed.

(12.23.) The Committee divided:—  
Ayes 176; Noes 126.—(Div. List, No. 102.)

\***MR. GOSCHEN:** We propose to postpone Clause 7; and perhaps hon. Members opposite will allow us to take the remaining clauses, to which I think there is very little objection.

**MR. STOREY (Sunderland):** Will the right hon. Gentleman tell us what are the changes he proposes to make in Clause 26?

**THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.):** There is an Amendment by which it is proposed to add certain words at the end of that clause; but we should prefer to deal with it on the Report stage, and the Amendment is not yet down on the Paper.

Motion made, and Question, "That Clause 7 be postponed," put, and agreed to.

Clause 24.

\***MR. GOSCHEN:** I beg to move, in page 9, to leave out postponed Clause 24, and insert the following Clause:—

"Where any person shall die after the passing of this Act without having made a return of all his profits and gains chargeable to Income Tax with a view to an assessment thereon in due course, an assessment in respect of the profits and gains which arose or accrued to him before his death may be made at any time within the year of assessment, or within

four months after the expiration thereof, upon his executors and administrators, and the amount thereof shall be a debt due from and payable out of his estate."

Motion made, and Question proposed, "That the Clause be read a second time."

MR. T. M. HEALY : I shall be glad to facilitate the Chancellor of the Exchequer in carrying anything reasonable, but I deprecate the manner in which this clause is brought before the House. I do not think that this clause has been sufficiently considered ; and as it is not a clause on which the Chancellor of the Exchequer can claim any particular urgency, I trust he will allow it to be postponed until that consideration has been given to it. The right hon. Gentleman is only anxious to bring additional gain to his Department, and in the endeavour to promote this object he has not given due consideration to the position of executors and administrators, whose office, at the best, is a very thankless one. I would suggest that this question ought to be hung up until next year. Unless the right hon. Gentleman agrees to postpone this clause, we must oppose it as a whole. I have no desire that the estates of deceased persons should escape their fair share of this duty ; but in this case you practically put a pistol to the head of the executor and call upon him to stand and deliver. The result is, that you may issue an attachment of whatever the form is in England against the executor and send him to gaol. I ask, why do not you make some provision to meet this case ? Why should an executor or administrator be sent to gaol ? I understand the view of the Government to be that the executor is liable to be sent to gaol. The Chancellor of the Exchequer shakes his head, but I would call his attention to the words of the clause he proposes.

\*MR. GOSCHEN : The clause says the amount thereof shall be a "debt due from and payable out of his estate." There are no words in the clause bearing the meaning attached to it by the hon. Gentleman.

MR. T. M. HEALY : I differ from the right hon. Gentleman and assert without hesitation that, according to the clause, the debt is seized on the executor. It says that where any person shall die

*Mr. Goschen*

after the passing of the Act, without having made a return of his profits chargeable to Income Tax, an assessment may be made of those profits at any time within the year of assessment, or four months afterwards, upon his executors or administrators, and the amount thereof shall be a debt due from and payable out of his estate.

\*MR. GOSCHEN : Although the hon. and learned Gentleman is acquainted with the law, I have some knowledge of the facts, and I assure him that he is mistaken in his construction of this clause.

MR. T. M. HEALY : I cannot concur in the view of the right hon. Gentleman ; but at any rate, if that be his view, he ought to insert something that would make the matter clear.

\*THE ATTORNEY GENERAL (Sir, R. WEBSTER (Isle of Wight) : I have no manner of doubt that as the clause now stands the debt can only be recoverable out of the estate ; but if the hon. and learned Gentleman can show that I am wrong, we should not object to insert explanatory words, but I cannot imagine any words that would make the law clearer than it is now.

MR. T. M. HEALY : I am no more satisfied after what the hon. and learned Gentleman has stated than I was before, and I ask the Government what point will they gain by all this hurry ? Is the debt to be treated as a Crown debt ? How is the man who supplies the coffin to bury the deceased person to be situated ?

\*SIR R. WEBSTER : The tax due on the estate would be a first charge.

MR. T. M. HEALY : It is an extraordinary notion that a man's Income Tax is so sacred an obligation that it is to be treated as a first charge on his estate. I should imagine that the debts which ought first to be satisfied out of an estate are those which he has contracted with John Smith, John Brown, and so forth.

\*MR. GOSCHEN : A man's assessment to this tax now ranks before his other debts, and I see no reason why that principle should be altered in the case of a deceased person's estate.

MR. STOREY : There is an old saying "that death quits all scores," and I see no reason why the Chancellor of the Exchequer should pursue debts of this kind into the grave. I, for one, enter my strong protest against this proposal,

which will throw great hardship on the smaller class of estates. Take the case of a person receiving £500 a year. He dies and leaves a widow. Upon the death of the person his will is proved. It may be that the £500 is derived from £5,000 or £6,000 of property, and upon that the widow or executor has to pay 3 per cent. into the coffers of the State. That is a very serious charge upon the widow. I am not a lawyer, but I am putting very serious cases of hardship that I have known in my own experience amongst poor people.

THE CHAIRMAN: I can scarcely see how the hon. Member is approaching the subject of the clause.

MR. STOREY: I think I can approach it. This charge is a new charge. ["No!"] If it has not been charged before, it is a new charge. The charges are serious enough already, and it is unnecessary that we should pursue the dead man in this way. Therefore, if I can only get another Member to tell with me I shall divide against this clause.

\*MR. GOSCHEN: This clause is to remedy an omission to make a return. If a millionaire neglected to make a return the hon. Member would not say that his estate should not be called upon to pay. So long as the law with reference to the Income Tax remains what it is, there should be means of meeting and remedying a default.

\*MR. CHILDERS: I think that this is a proper proposal. The clause is intended to meet the case of a deceased person who has failed to perform his duty, whether poor or rich, and if I am not mistaken it is proposed in consequence of evasion of duty by one or more people of the latter class.

\*MR. CHANCE (Kilkenny, S.): The assessment is made on the estate of the dead man, and if it is not made on the executors, where is the right of appeal? Who has any *locus standi* to appeal?

\*SIR R. WEBSTER: Distinctly the assessment would be made on the executor, and he would have the right of appeal, but it is not a debt due by the executor.

MR. CHANCE: Does the Crown solemnly say to the executor "you are bound to pay us," and then, "it is no debt of yours?" I ask the Chancellor of

the Exchequer whether he will add these words to the clause: "and not from the executors or administrators personally?"

\*SIR R. WEBSTER: I have not the slightest objection to add the words, only in my judgment they are absolutely unnecessary. If the hon. Member thinks they are necessary I have no objection to considering them.

MR. CHANCE: I do not in the slightest degree undervalue the opinion of the Attorney General either on this or any other subject. Still, he is not infallible, and many Law Officers have given opinions at that Table which have not been sustained by the Judges.

\*(1.0.) MR. GOSCHEN: Many errors are occasioned by entering into arrangements on these points of detail across the Table. I will undertake, before the Report, to consult my Colleagues and those best informed with regard to this tax to see what can be done.

(1.1.) MR. M. HEALY (Cork): What the right hon. Gentleman has said is fair enough so far as it goes. The Government decided to reject the clause originally in the Bill, and now they give us another one somewhat similar in effect. Why was this?

\*(1.1.) MR. GOSCHEN: The alterations we have made have been slight, and have only been made for the purpose of remedying defects which were pointed out to us in the clause.

(1.2.) MR. M. HEALY: There is a distinction between the clause on the Paper and the clause in the Bill. The clause in the Bill provides for a person dying without an assessment, but the clause on the Paper deals with a person dying who has not made a return.

\*(1.2.) MR. GOSCHEN: This provision is proposed to remedy an omission. A mistake might be held to have arisen not by the deceased's own default, but the default of someone else, if these words "without having been duly assessed" had remained. The clause now makes it clear that it must have been his own default.

(1.3.) MR. M. HEALY: A form is sent out for a person to fill up and return, and in cases where it is not filled up the Department fills it up itself. That is the rule—not to enforce the penalty, but to estimate the gains of the person who should have made the return,

and return him accordingly. I do not know what the new clause means which provides that if a person dies without making a return an assessment can be made on him.

\*(1.5.) **SIR R. WEBSTER:** Supposing a person dies having earned profits to the amount of £2,000, as the law stands he has earned taxable profits; but if he has not made a return, his income cannot be taxed. The clause provides that the Commissioners may in such a case assess the profits within the year of taxation or four months thereafter.

(1.6.) **MR. CRAIG** (Newcastle-upon-Tyne): A man when he dies may have earned only a third of his annual income. Does the clause mean that his executors are to be called upon to pay Income Tax in respect of the whole year?

\***SIR R. WEBSTER:** No, no.

(1.6.) **MR. FLYNN:** A poor man has no protection under this clause against an unfair assessment being made on him. A man earning a small income may have had serious illness and may have been really subjected to loss before his death. His executors may not be able to say whether or not he has made profit, and the result may be that the State may exact an amount to which it is not entitled. I should be sorry to see these classes handed over to the tender mercies of lawyers either in Ireland or England, and I think it a shabby and contemptible thing for the Public Exchequer to come to the widow and orphan—or their executors who are doing a work of Christian charity—and charge in Income Tax an amount more than the estate is worth. I think this clause should be postponed. I would appeal to the Chancellor of the Exchequer and the Attorney General to put their heads together and see if they cannot draft a clause to meet this case.

\*(1.12.) **MR. GOSCHEN:** Our point is that a person who has not made a return should not be put in a worse position than one who has.

(1.12.) **MR. A. O'CONNOR** (Donegal, E.): The object of the clause is to enable the Government to recover from executors a tax which, if the deceased had lived, would have been recovered from him, but which cannot be recovered now,

*Mr. M. Healy*

because no assessment is made out for the year. But as the clause is worded, it will have this effect: if a man dies without having made a return before the assessment is made the estate is not liable to pay; but if no return at all has been made, then it is liable. What would be the use of this clause in a case where a man dies having made a return before the assessment is made?

(1.14.) **MR. JACKSON:** If a man during his lifetime makes a return, the assessment follows as a natural course. The executors are proceeded against and the amount is recovered. All that this clause seeks is to do in the case of the man who has not made a return exactly what is done in the case of the man who has made a return.

(1.15.) **MR. CHANCE:** Would the Solicitor General say whether he shares that opinion? The man who makes a return and dies before assessment will still escape paying the tax. I want to ask the Solicitor General if that is not the case? I say a debt accrues the moment the assessment is made. If a man dies before the assessment is made I challenge anyone to point out a section under which a penny could be charged to the executors.

\*(1.17.) **SIR R. WEBSTER:** Without doubt no assessment could be made, and all this clause does is to enable a charge to be made in the case the hon. Member has alluded to, and which could not be made otherwise.

\*(1.18.) **MR. BRUNNER** (Cheshire, Northwich): If the claim is not made until after four months from the end of the financial year, the right of the Crown to recover lapses I think.

(1.19.) **MR. FLYNN:** I must urge on the attention of the Government the case of the poor man who dies suddenly without having made a return, and who may not have made a profit for some time before his death.

\*(1.22.) **MR. W. H. SMITH:** I would appeal to hon. Gentlemen opposite to allow a Division to be taken on this clause. I believe this proposal of the Government is a simple matter of justice to the living as well as to the dead.

(1.23.) **MR. T. M. HEALY:** I do not think this is contentious matter upon which we should divide. All that we desire is that some reasonable answer

should be given to our arguments. I protest against the widow of a professional man being called upon to pay Income Tax in respect of her deceased husband at the old rate. I submit that if this Amendment is inserted, it would go a long way towards soothing the misery of many such widow.

\*(1.25.) MR. GOSCHEN: I will promise the hon. Member to consider all these Amendments before Report; but it is essential to have them thoroughly sifted by those who are familiar with such questions.

(1.26.) MR. T. M. HEALY: I feel the strength of the right hon. Gentleman's appeal, and, therefore, on the assurance that the defects we have pointed out will be remedied, if possible, on Report, I will not press my opposition.

Question put, and agreed to.

New Clause read a second time—

"(1.) The substance mixed with spirits for the purpose of methylation may be any combination of substances approved for the purpose by the Commissioners; and the term 'methylated spirits' in 'The Spirits Act, 1880,' shall, in lieu of the meaning thereby assigned to it, mean spirits mixed with any substance or combination of substances approved for the purpose of methylation by the Commissioners.

"(2.) An authorised methylator may supply methylated spirits in vessels containing not less than a reputed quart, provided that the quantity supplied by the methylator to any one person at a time is not less than five gallons.

"(3.) In any mixture of methylated spirits with gum resin the quantity of gum resin shall not be less than three ounces in every gallon of the mixture."—(MR. JACKSON.)

(1.28.) MR. CHANCE: Is it intended to prevent the use of certain substances in the manufacture of methylated spirits?

MR. JACKSON: That is so.

(1.29.) DR. TANNER (Cork Co., Mid): Why should not methylated spirit be supplied in smaller quantities than one quart?

MR. JACKSON: The matter will be considered between this and Report.

Clause added to the Bill.

MR. SHIRESS WILL (Montrose, &c.): I beg to move the new clause which stands in my name. Clause 25 proposes to relieve the smaller householders of some Inhabited House Duty,

but there is a grievance which presses hardly upon small shopkeepers. It is most unfair that the part of a house used for trading purposes should be chargeable with the Inhabited House Duties, and I hope the Chancellor of the Exchequer will be able to see his way to make some concession in the matter.

New Clause—

"Where a part of any house, being one property, is occupied solely for the purpose of any trade or business, or of any profession or calling, by which the occupier seeks a livelihood or profit, whether the part so occupied communicates directly or not with the rest of the house, such part of the house shall not be taken into account in assessing the amount on which the house shall be chargeable with the inhabited house duties."

Motion made, and Question proposed, "That this Clause be read a second time."

—(MR. SHIRESS WILL.)

\*MR. GOSCHEN: I think the clause goes very much further than the hon. Gentleman intends. It is supposed to apply to small shopkeepers, but I think it will apply to large establishments; indeed, I think it would do away with the house tax on shops.

MR. ESSLEMONT: We consider it very hard that a man who lives over a shop should have his shop assessed to House Duty. We can hardly expect the Chancellor of the Exchequer to accept the clause on the spur of the moment, but the right hon. Gentleman will admit that it contains matter for consideration.

MR. CHANCE: May I suggest to the hon. and learned Member for Montrose that he might get rid of a great deal of objection if he limited the clause to premises of an annual value, say, not exceeding £40.

MR. SHIRESS WILL: I would prefer to say £60 and under.

\*MR. GOSCHEN: I am really unable to go any further than I have done this year.

MR. SHIRESS WILL: Does the right hon. Gentleman hold out any hope that next year he will give consideration to the point?

\*MR. GOSCHEN: I cannot say what next year's Budget will bring forth.

Question put, and negatived.

MR. M. HEALY: I beg to move the new clause standing in my name.

I do not propose at this hour to enter at length into the subject of the Income Tax. Suffice it to say that the tax was imposed originally as a temporary measure to meet a special strain on the finances of the Empire occasioned through war. Frequent attempts have been made to get rid of the tax altogether. Two years ago the Chancellor of the Exchequer received a deputation of solicitors in England and Ireland, who laid their grievance before him. The right hon. Gentleman received the deputation in a very sympathetic spirit. My clause does not propose to abolish the tax, which I think would be the fairest and best course to pursue, but simply to relieve solicitors from a very unfair imposition. No other profession in the country is subjected to any similar tax. Solicitors are placed under very heavy financial burdens before they can practise. No young man can become a member of the profession for less than £1,000 when the cost of his education is taken into consideration. Of that £1,000 a considerable sum goes to the State in the shape of Stamp Duty. A barrister is put to great expense, but not to the same as a solicitor. The same is the case with a doctor. It certainly lies with the right hon. Gentleman, or other defenders of the tax, to show some good ground why solicitors should be placed in their present invidious position. My proposition is simply that when a solicitor has once paid a tax to the State in the shape of Licence Duty, he should not be assessed to the Income Tax under Schedule D.

#### New Clause—

"Any person admitted or enrolled in England or Ireland as an attorney, solicitor, proctor, or notary public, and any person admitted or enrolled in Scotland as a writer to the signet, solicitor, agent, attorney, procurator, or notary public, and any other legally qualified person who carries on business in England or Ireland as a conveyancer, special pleader, or draftman in equity, and who is obliged by law to take out a yearly certificate, shall be entitled to deduct from any Income Tax payable by him under Schedule D on his annual profits and gains the amount of the duty paid by such person on the annual certificate required to be taken by him."

*Mr. M. Healy*

Motion made, and Question proposed, "That this Clause be read a second time."—(*Mr. M. Healy.*)

\*MR. GOSCHEN: Whatever view I may hold as to the abolition of the tax, I certainly could not assent to anything in the shape of the clause moved by the hon. Member, because, by so doing, I should assent to a new system in our method of taxation.

MR. M. HEALY: I am not prepared to withdraw the clause, but on Report I will move to abolish the tax altogether.

\*MR. BRUNNER: If this clause were read a second time, I should ask the Chancellor of the Exchequer to extend it to other people who pay Licence Duty, for I am of opinion that it is a bad system which charges a man for permission to make an honest living.

Question put, and negatived.

Committee report Progress.

\*MR. W. H. SMITH: I think there is a general desire that the Committee should be concluded to-morrow, and, therefore, I beg to give notice that I will put down a Motion—[HON. MEMBERS: "You had better not."] If hon. Members do not desire I should, I will not do so. I only wish to be understood. I believe I am expressing their wishes when I refer to the desire that the Committee should terminate to-morrow night before half-past 5.

MR. SEXTON: It is possible that if you put down a Motion you will occupy with it a considerable part of the time of the House, which would otherwise be occupied with the discussion of the Bill itself.

Committee to sit again To-morrow.

It being after One of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at five minutes before Two o'clock.

## HOUSE OF COMMONS,

*Wednesday, 21st May, 1890.*

## LICHFIELD CATHEDRAL BILL [LORDS.]

Ordered, That the examiners of Petitions for Private Bills do examine the Lichfield Cathedral Bill [Lords], with respect to compliance with the Standing Orders relative to Private Bills.—(*The Attorney General.*)

## ORDERS OF THE DAY.

CUSTOMS AND INLAND REVENUE  
BILL.—(No. 231.)

Considered in Committee.

(In the Committee.)

Postponed Clause 7.

(12.2.) SIR G. CAMPBELL (Kirkcaldy, &c.): I rise to move the Amendment which stands in my name, namely, to insert after the word "Ireland"—

"In manner following, viz: As regards the duties mentioned in sub-section (a), as nearly as possible in the proportion in which those duties are paid, viz: England, 66·5 per cent; Scotland, 19·4 per cent.; Ireland 14·1 per cent.; and as regards the duties mentioned in sub-section (b)."

By the previous section the Committee has resolved to impose upon Scotland and Ireland what I consider to be, under the circumstances of the case, unjust taxation, and the question now arises whether the Government will consent fairly to distribute that taxation? For my part, I have always protested against the mode in which the revenue allotted for local purposes has been distributed. If the localities themselves are not allowed to collect, manage, and distribute this revenue, the question which necessarily arises is how it can be most fairly distributed. In the present state of affairs the question of distribution has become a most important matter. It was pointed out by one of the newspapers on Saturday that the principle of distribution now decided upon will determine the distribution of more than £6,500,000.

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More than £4,000,000 will be handed over for distribution if this Bill passes, and the sum intended to be distributed for education will bring the total up to £6,500,000. The question is, how the distribution can be made as fair towards Scotland and Ireland as towards England. As a matter of principle, if it is the Inland Revenue which is to be distributed it ought to be distributed in accordance with the revenue contributed by each separate portion of the Kingdom rather than in an inverse ratio. In order to take something out of the sting of the injustice which is proposed to be perpetrated, the Chancellor of the Exchequer has promised that a full inquiry shall be made, so as to do justice both to Scotland and Ireland in the future. Whatever may be the immediate effect of the Government proposals, it is gratifying to find that there is to be some prospect of justice being done in the future. We certainly think that hitherto much injustice has been done. In reference to the Spirit Duties, I do not altogether object to the provisional arrangement proposed to be made. And here I wish to correct a statement which I made the other day. I said that it was very hard, indeed, that Englishmen should drink three times as much alcohol in the shape of beer as Scotchmen, and only pay one-half as much in the shape of duty. I believe that the Englishman does, as a matter of fact, pay more than half as much; but instead of paying it into the Exchequer, it goes to the monopolist brewer. The real reason why beer is not taxed as it ought to be, is that the brewers, who have a great monopolist interest, hold a rod over the heads of the Government. The Chancellor of the Exchequer admits that, in regard to taxation upon alcohol in all forms, the distribution now proposed is not a fair one, and is only to be justified on the ground that, whereas Scotland and Ireland pay a much larger share of the taxation on alcohol, England pays a larger share of the Probate Duties. The statistics on this subject presented by the Chancellor of the Exchequer I am quite prepared to accept provisionally, but with the important exception that in the matter of the Probate Duties the Metropolis, the monetary centre of the three Kingdoms, is included in England,

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which, especially as regards Scotland, is a gross injustice. My complaint is that the Returns we have are of a fragmentary character, but are sufficient to show the injustice done to Scotland. If the right hon. Gentleman would place one of his clerks at my disposal I believe that I could get him to prepare a proper Return in half-an-hour.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): In half-an-hour?

SIR G. CAMPBELL: Yes; in half-an-hour. It seems to me that the right hon. Gentleman has not produced Returns because he dare not; because such Returns would absolutely upset all the calculations he has made, and show plainly the injustice which is being done to Scotland. Some of the statistics which are contained in the Reports of the Board of Inland Revenue conclusively prove that gross injustice has been done to Scotland in this matter. As I say, I am prepared to accept the figures contained in the Chancellor of the Exchequer's Return, No. 153, as far as the taxation of alcohol and the Customs Duties are concerned. They show that, according to population, England pays 80·9 per cent.; Scotland, 10·7 per cent.; and Ireland, 8·4 per cent. The right hon. Gentleman says that in giving us 11 per cent. he is giving us practically better terms than we are entitled to. I accept so much. The great injustice of which I complain has reference to the stamps, which include the Probate Duties and the Income Tax. I am unable to give the figures of the Probate Duties because the Chancellor of the Exchequer has persistently refused to give them, but I look upon them as being practically another form of a tax upon property and income—the same as the Income Tax, and especially Schedule D. The Returns of the Board of Inland Revenue show that the distribution proposed by the right hon. Gentleman is most unfair towards Scotland.

MR. GOSCHEN: Probate Duty is paid in Scotland as well as in England.

SIR G. CAMPBELL: My impression is that the Probate Duty paid by Scotch—  
*Sir G. Campbell*

men in England goes to swell English Returns. Probably the Committee will not be surprised to hear that a very large proportion of Schedule D from profits from professions and companies is paid in the Metropolis, which is the Metropolis of the three Kingdoms, and not of England only. The only full figures which we have in regard to the Income and Property Tax are contained in the Report submitted to Parliament, decennially. From the last Report, in 1884-5, I find that Scotland, according to her population, paid 9½ per cent. of the Income Tax, which is rather less than her full share, if London is to be included in England. But if you take out London, which is the common Metropolis of the three Kingdoms, there is a very different result. I see that the Chancellor of the Exchequer laughs, but does he doubt that an enormous amount of Income Tax is paid in London by Scotchmen. Take my own case; I am a retired officer of the East India Company's Service, my pension is paid here, and, when I die, the Probate Duty will be paid here.

MR. GOSCHEN: The hon. Member resides in London.

SIR G. CAMPBELL: That is so for a part of the year, but my home was in Scotland, until I was sent here by a Scotch constituency, and, although I reside in London, I consider myself a Scotsman all the same. I altogether deny that I have shaken off that character. I assert that a large proportion of the property held in London is really Scotch property, and as the Reports of the Board of Inland Revenue do not distinguish the Metropolis from other parts of the Kingdom, I think the Chancellor of the Exchequer might very well give us a special Return. Referring to the details of the Property and Income Tax which are given in the Return, I find, in regard to Schedules A and B, that Scotland pays twice its fair share. So far as Schedule C is concerned, it relates to dividends on British, Foreign, Colonial, and other Stocks, and all payments under it are made in London, so that Scotland does not get credit for a single farthing. Now, I would ask the Committee whether, knowing what habits of thrift

the Scotch people possess, they really believe that no portion of these Stocks is held by Scotchmen. I maintain that it is unjust to exclude Scotland from consideration whenever Schedule C is dealt with. Schedule E deals with salaries, of which an enormous proportion is paid in the Metropolis and a very small proportion in Scotland.

MR. GOSCHEN: The salaries paid in the Public Offices are omitted.

SIR G. CAMPBELL: Where are they included if they do not appear in Schedule E?

MR. GOSCHEN: They are omitted from the calculation. England pays 85 per cent. and Scotland only 3 per cent.

SIR G. CAMPBELL: Then I understand that the calculations of the right hon. Gentleman, so far as they are founded on Schedule E, omit the Public Offices.

MR. GOSCHEN: That is so.

SIR G. CAMPBELL: But with regard to public companies, my contention is that a large portion of the shares are owned by Scotchmen, and it is unfair that all the payments should be credited to England alone. I am quite willing, however, to rest my case upon Schedule D, which is a tax upon personal property of all kinds. From the last Report of the Board of Inland Revenue for a decennial period, ending in 1889, I find that the total amount of property assessed to Income Tax under that schedule in 1883-4 was £291,000,000, and of that Scotland paid a fair share. The Metropolis paid upon £109,000,000, leaving £182,000,000 for the rest of the three Kingdoms, out of which Scotland paid £31,000,000, or 10·7 per cent. Deducting the Metropolis it will be found that Scotland paid a little more than 17 per cent. under Schedule D.

MR. GOSCHEN: Surely the hon. Gentleman does not propose to take out the whole of the Metropolis, and not credit it with any payment at all?

SIR G. CAMPBELL: I take out the whole of the Metropolis in order to distinguish what is paid by England and Scotland, exclusive of London. What I complain of is that Scotland in these calculations is unfairly dealt with, and that

what is paid by Scotchmen in the Metropolis is not credited to Scotland, but goes to swell the payments of England. The Return of the amount of property assessed to the Income Tax last year shows a reduction of £247,000,000. Of that sum £109,000,000 applied to the Metropolis, and Scotland went down to £23,000,000, still reaching 17 per cent. I maintain that I am fairly entitled to ask that, in making these calculations, the Metropolis of the Empire should be treated separately, and not as part of England. The Chancellor of the Exchequer admitted that there is some injustice to Scotland in the matter, but he gave some figures to show how slight the injustice was. We have no means of testing the right hon. Gentleman's figures, or of seeing how he got them, but the figures themselves prove too much, and amount to a *reductio ad absurdum*. If we are to believe his figures, while Scotland pays 17 per cent. of the Income and Property Tax, under Schedule D, omitting the Metropolis, it scarcely pays 1 per cent. under Schedule D, upon dividends in connection with British, Foreign, Colonial, and Indian Stocks. Out of £500,000,000 of Stock transferred it is said that only £6,000,000 were transferred in Scotch names.

MR. GOSCHEN: So far as Consols are concerned they are not held largely by Scotchmen.

SIR G. CAMPBELL: These Returns apply not only to Consols but to Colonial and Indian Stocks. I understand that the Returns refer to the whole.

MR. GOSCHEN: No; only to Consols.

SIR G. CAMPBELL: So far as Foreign, Indian, and Colonial Stocks are concerned, I believe that a considerable portion is held by Scotchmen, and it is, therefore, unfair to take Consols alone. I am quite satisfied that Scotland holds much more than the  $1\frac{1}{4}$  per cent. of the Foreign, Colonial, and Indian Stock, which the right hon. Gentleman says she holds, and pays Income Tax upon.

MR. GOSCHEN: I never stated any figures in regard to Foreign, Indian, and Colonial Stock. The hon. Member will remember that the Return includes the dividends paid upon the English Railways, which are credited to England,

while all the dividends upon the Scotch Railways are credited to Scotland.

SIR G. CAMPBELL: What I am dealing with now is Schedule C, and the right hon. Gentleman will admit that upon that Schedule not one farthing is paid in Scotland, but in the Metropolis, which gets credit for the whole of it. Some of the figures show a curious state of things. Up to a recent period I find that Scotland paid quite her fair share of the Probate and Succession Duties. In 1882, excluding the Metropolis, Scotland paid on £18,820,000 out of £180,000,000, or not far short of 11 per cent. In 1887, out of £181,000,000 she paid upon £19,633,000, again approaching 11 per cent. Up to the year 1887 Scotland paid even more than her full proportion of the Probate and Succession Duties; but a startling change took place from 1887 onwards. Probate and Succession Duties were paid in England, in 1884, upon £118,000,000; in 1885, upon £116,000,000; in 1886, upon £119,000,000; and in 1887, upon £117,000,000. In 1888, it suddenly jumped up to £136,000,000, while the amount for Scotland and Ireland fell. I think that there must have been some change in the mode of keeping the accounts to explain this circumstance, and I should be glad to learn from the Chancellor of the Exchequer to what he attributes this sudden jump in the Probate Duties in England, and the sudden fall in Scotland. There is certainly some necessity for explanation, but, whatever the explanation may be, I think I have made it clear that there will be no fair means of judging between the three Kingdoms until the Metropolis is distinguished from the rest. The results of the investigation I have been able to make is to show that of all other Revenue Scotland pays quite her full share, while in regard to alcohol she pays very much more. Even if beer is included, Scotland pays at least 15 per cent., although she is only to have 11 per cent. allocated to her. I maintain that the people of Scotland are over-taxed, and upon that ground it is not fair that the contribution towards local taxation should be unjustly distributed. And what is the great concession which the Chancellor of the Exchequer claims

*Mr. Goschen*

to have made? According to his own figures, Scotland is entitled to 10·7 per cent., and all that he gives her is 11 per cent., which is to cover all the injustice and inequalities of the Income and Property Tax, and the Probate and Succession Duties. I say that his proposal is totally inadequate, and on behalf of Scotland I repudiate it. I quite admit that if local subventions were given to London in the same proportion as to other parts of the Kingdom with reference to the Revenue paid London would, in my opinion, get a very unfair amount. But it must be remembered that much of the money paid in London really comes from other parts of the Kingdom, and we know that the allocation is not made to London in accordance with the revenue paid in the Metropolis.

#### Amendment proposed,

In page 3, line 9, after the word "Ireland," to insert the words "as regards the Duties mentioned in sub-section (a.), as nearly as possible in the proportion in which those Duties are paid, such apportionment to be made by the Commissioners of Her Majesty's Treasury, and as regards the Duties mentioned in sub-section (b.)."—(*Sir George Campbell.*)

Question proposed, "That those words be there inserted."

\*(15.) DR. CAMERON (Glasgow, College): I have an Amendment on the Paper to the same effect as that of my hon. Friend, but I quite admit that the wording of his proposal is superior to that of mine. This discussion deals with an old tax and a new tax. In the case of the apportionment of the old tax, we have the precedent of the Probate Duties to follow. In the case of the new tax we have to make a precedent for ourselves, and we should strive to make that precedent a just one. The discussions we have had on this question have had the effect of, at all events, advancing matters to a certain extent. The Chancellor of the Exchequer has been very chary of making admissions, and when he is taxed with admitting anything, I notice he invariably says he does not admit it. But, yesterday, he did directly admit two facts. One was that the increase in the Probate Duty was a matter that might be put out of the question altogether. I quoted from his own speech,

made when allocating the Probate Duty, to show he had anticipated an increase, and I argued that if any benefit had accrued through an increase, or through a change in the distribution of the Probate Duty, we were entitled to adhere to the settlement arrived at two or three years ago. The right hon. Gentleman then admitted that the increase ought not to be regarded as affecting the question. The second admission was one that was made by the right hon. Gentleman in 1889, namely, that the extra tax of 3d. then imposed on beer was not a new tax but an old tax, reimposed in rectification of a too great reduction made in consequence of certain statements of the brewers, which afterwards turned out to be misrepresentations. The Chancellor of the Exchequer, last year, said not one word about this being a temporary tax. Another admission made by the right hon. Gentleman was that any alteration of taxation of alcohol in one form or another unsettles the international basis of taxation. Now, what was the state of things before the Malt Tax was changed, and what is the state of things at the present moment? Before the Beer Tax was substituted for the Malt Tax we had arrived at a sort of *modus vivendi* in the matter of alcoholic taxation. That certainly was not unfavourable to England, and it was most unfavourable to Scotland and Ireland. In the case of spirits taxation had been laid on in increasing doses, so that between 1850 and 1865, or 1866, the amount of taxation had been doubled, trebled, and, I believe, even quadrupled. But from the date of the last settlement, when the tax on spirits was raised to 10s. a gallon, we have had a state of things to which we have got accustomed. If Scotland and Ireland had paid too much in the shape of taxation on their national beverages, as compared with the tax on English beer, that had been taken into account in the imposition of new taxation, and in the making of grants from the Imperial Exchequer for local purposes. We had arrived at a state of things against which there was no protest. But the slightest attempt to disturb the balance arrived at was warmly resented, and by none more so than by the Party op-

posite. I quoted the other day the words of the right hon. Gentleman the President of the Board of Trade, showing how he denounced and exposed the injustice of the attempt of the then Chancellor of the Exchequer to unsettle the arrangement arrived at, and the resentment that was awakened was so strong that on this question the Government was turned out. The first proposal of the then Chancellor of the Exchequer was to increase the tax on spirits 2s. a gallon, but he dropped that and substituted a proposal to increase it by 1s. The proposal now is to increase it by 6d., which at the present moment represents considerably more than half the 1s. additional tax proposed by the right hon. Gentleman the Member for Edinburgh on which the late Government were turned out of office. We have figures now placed before us which show that under this new tax Scotland will have to pay £76,000 more than she is to receive back in the shape of subsidies, and that Ireland will pay £42,000 more than she is to receive. English Members, regarding the matter from an English point of view, are rather apt to under-estimate the significance of these figures. The population of Scotland and Ireland are to the population of England as 12,800,000 is to 28,600,000, and, in order to realise what a similar injustice would be if perpetrated by a Scotch Chancellor of the Exchequer upon England on the lines of the injustice about to be perpetrated on Scotland, you will have to imagine a sum of £262,000 going away from England and being devoted to local purposes in Scotland and Ireland. But if you take the case of Scotland alone, the hardship and injustice are much greater. The population of Scotland is only one-seventh of that of England, so that in order to realise the injustice now proposed to be perpetrated on Scotland you must imagine a Scottish Chancellor of the Exchequer screwing out of the people of England £532,000, and allocating the whole of it to local purposes outside the country. Would not English Members resent that, and does not that illustration show that though the arrangement the Government now propose may involve to Scotland and Ireland the loss of apparently a comparatively small sum, it is a large

sum when taken in proportion to the population. And even that does not illustrate the position of matters in the most unfavourable light for Scotland. If you have regard to the position of Scotland and England, not as represented by the relative populations, but as represented by their tax-paying powers as adjusted under the existing systems of incidence of taxation, you would have to multiply the amount paid by Scotland eight times, so that this £76,000 would represent £600,000 a year which England would have to pay to Scotland and Ireland for local purposes. And how is this £76,000 net excess that is to go forth from Scotland to be spent? Why on objects in England, of which we entirely disapprove, or with which we have no national concern. What do we get in return? We get a subsidy £76,000 less than the sum we pay, which we are to be obliged to spend on objects of which we also largely disapprove. Even if we had the whole sum it would be unjust to require us to spend it on objects of which we do not approve; but as it is you, as it were, tax us £3, hand us back £2, and require us to spend a considerable portion of that on objects we entirely disapprove of. If such a proposal as that were made in the case of England would it not be held to justify the most obstinate and pertinacious resistance on the part of English Members against what would be universally recognised as a glaring injustice? The right hon. Gentleman the Chancellor of the Exchequer wishes to extinguish licences. Well, if he will let us alone in Scotland we will do it for him. Licences have already been largely reduced there; no compensation has been paid, and that despite the fact that at the recent Licensing Courts renewals were granted on appeal on the special ground that legislation for compensating publicans for the loss of their licences was now being proposed by the Government. If it was proposed to return Scotland all the money extracted from her on account of this additional tax, the condition being that she apply it in a way she does not want to do, it would be a bad bargain. It is, no doubt, right that that portion of the Beer Duty, which it is proposed to earmark and hand over to this common

*Dr. Cameron*

fund, should be allocated on the principle adopted in regard to the Probate Duty. The right hon. Gentleman says he has apportioned the distribution as between England, Scotland, and Ireland, on the proportions of 80, 11, and 9 per cent. But that has not been done in the case of all grants from the Imperial Exchequer. It was not done in the case of Licence Duties, which were formerly a portion of the Imperial funds. They were allocated to the different countries in which they were raised, and the same was to have been the case with the proposed Van and Wheel Tax—not originally, but on representation being made that the Scotch Members did not want the £74,000, which would have been Scotland's share of it. In the case of the Van and Wheel Tax there was to be no placing of the money in a common fund, and no division between the three countries. If that tax had passed, Scotland being excluded, you would have had the money you now propose to raise, in another way, raised in England and applied only to English cases, and that is the principle we ask you to adopt in the present instance. We ask you to follow the precedent you yourselves set in the case of the Van and Wheel Tax. The Chancellor of the Exchequer has not denied the accuracy of our figures. He says, "You must have regard, on the other hand, to the Probate Duty paid by England." He says we receive benefit from that. He contends that the money received by Scotland from the Probate Duty was no element in inducing him—

MR. GOSCHEN: What I referred to was the excess gained by Scotland, that excess existing at the time the Probate Duty was under discussion. I have not rested my argument on the increase of the Probate Duty in England, though an increase has taken place. What I referred to was the normal excess in the Probate Duty, and, on the other hand, an excess in the Spirit Duty.

\*DR. CAMERON: I am glad the right hon. Gentleman has, at last, made himself clear. What we now have is, that the normal advantage that Scotland gained at the time of the allocation of the Probate Duty should be taken into

account in connection with this matter. What was the excess? Instead of getting 10½ per cent. we got 11½ per cent.—the total amount we got being £234,000. The excess we got on the Probate Duty, as originally allocated to us, amounted to £11,500. That was the total excess we got, and now you propose to take that £11,000 into consideration, and rectify that excess by levying on us an excess in the Spirit Duty of no less than £76,000. That, Sir, it must be obvious to everybody, is absurdly unjust.

MR. GOSCHEN: You must set one figure against the other.

\*DR. CAMERON: That is just what I object to. The right hon. Gentleman says what we ought to take into consideration is the basis on which the Probate Duty grant was originally settled. I take his scheme as it was worked out, and it shows that at the time we gained £11,500.

MR. GOSCHEN: The hon. Gentleman wishes to get an advantage out of both figures; he wishes to apply the figures of one year to the Spirit Duty and the figures of another year to the Probate Duty.

\*DR. CAMERON: In consequence of the representations of the Scotch Members, the right hon. Gentleman was willing to drop the Wheel and Van Tax in the case of Scotland while going on with it in the case of England. In that case you had a new tax levied in one country to be applied exclusively to that country. That is what we want in this case.

(1.35.) THE SECRETARY TO THE TREASURY (MR. JACKSON, Leeds): If the hon. Gentleman had been able to show that the proportions which have been adopted by my right hon. Friend in allocating the amount of Imperial revenue to local purposes—namely, 80 per cent., 11 per cent., and 9 per cent. for England, Scotland and Ireland respectively—are wrong, he might possibly have made out some case. In making the allocation of the Probate Duty on the basis of 80, 11, and 9 per cent. my right hon. Friend did so distinctly on the ground that, as far as he was able at that time

to ascertain the figures, those figures represented the contributions by the three countries respectively, giving a slight turn in favour of Scotland and a larger turn in favour of Ireland. It is on that basis that my right hon. Friend proceeds in allocating the proportions of the new taxes to be raised under this Bill. I do not think the hon. Gentleman will admit for a moment that his own argument should be applied in the case of the Probate Duty, because it is contributed by England to a larger extent than by Scotland and Ireland respectively. The hon. Member for Kirkcaldy gave us some very interesting figures, and seemed to be of opinion that the figures which have been presented do not state the case fairly as regards Scotland. The hon. Member made a very interesting analysis of the Income Tax, pointing out very properly that the collection of Income Tax in London does not accurately represent the amount of Income Tax properly to be credited to England, Scotland, and Ireland respectively. In presenting the figures to the House the year 1888-9 was adopted because it was the last completed year for which the figures could be obtained. On a former occasion I stated that if certain corrections, which must be necessarily to some extent matters of estimate, were made, giving credit to Scotland and England where credit ought to be given, I believe the result would so work out that the figures presented to the House practically represented the facts of the case. Since that time it has been possible to make an analysis of the figures of the Income Tax under the different Schedules, and I will give the Committee the result.

SIR G. CAMPBELL: For what year?

MR. JACKSON: For the year 1888-9. Taking the Income Tax as a whole, according to payments, the percentage is 87.05 for England and Wales, 8.56 for Scotland, and 4.39 for Ireland. Putting together the sums received under Schedules C and D, so as to show as far as we can all those which may be held by different divisions of the Kingdom, the total amount represented is £1,635,280. If that sum is apportioned to the three Kingdoms in the proportions in which

the three Kingdoms contribute to Schedule D or are assessed to Schedule D—and that seems to be the fairest proportion you can possibly find—it will give to England £1,399,799, to Scotland £174,974, and to Ireland £60,507. If the totals of the Table A, page 6 of the Return, are corrected by those figures, the result will be that the total contribution of taxation by England, Scotland, and Ireland respectively will work out thus—81·44 for England, 10·43 for Scotland, and 8·13 for Ireland. It is rather curious that the proportions of the assessment under Schedule D in the three Kingdoms compare very closely with another test which may be applied, and that is the test of the total railway receipts. These proportions are 85·6 for England, 10·7 for Scotland, and 3·7 for Ireland. The total gross receipts of the railways in England, Scotland, and Ireland are represented by 85·06, 10·97, and 3·97 respectively. The net receipts work out as follows:—84·29 for England, 11·81 for Scotland, and 3·90 for Ireland; and the total annual expenditure of the railways is 85·78 in England, 10·18 in Scotland, and 4·04 in Ireland. Under Table A also for 1888-9 the figures in regard to tea, tobacco, and other Customs duties, not including spirits, and according to several methods of collection, show similar proportionate results; so that, by all the figures we can collect and all the tests we can apply, it is shown that the basis adopted by the Chancellor of the Exchequer of 80, 11, and 9 for the three Kingdoms is favourable to Scotland and a little more favourable to Ireland. In no case, after every inquiry and test, can the figures be made to show that Scotland is entitled really to more than 10·18 per cent. As regards tea, tobacco, and other Customs duties, of course we have no accurate figures. If the figures are taken on the basis I have given to the House the percentages work out as follows:—81·29 for England, 10·57 for Scotland, and 8·14 for Ireland. It has been pointed out that both in Ireland and Scotland the tea used is of a higher quality than in England. The result is that if a poor person in England buys tea, which has cost 6d. per lb. in Mincing Lane without the duty, and a man in Ireland or Scotland buys tea which has cost 1s. per

*Mr. Jackson*

lb. without the duty, the Englishman will pay duty on the two pounds against the one pound bought by the Irishman or Scotchman. The higher priced tea goes further, and I believe that when the question is investigated more clearly it will be seen that Scotland and Ireland do not consume per head of the population the same number of pounds of tea, although they may spend the same amount on tea. The figures are calculated on the duty which is paid, and, taking them in the most favourable way, they will work out as follows:—80·66 for England, 10·93 for Scotland, and 8·41 for Ireland. The hon. Member for Kirkcaldy complained that a Return had not been furnished him showing the amount of taxation raised or collected in London, because he thought those figures would have helped him in his argument. The hon. Member seems to start with the belief that it would be fair to separate London from England; but, apart from that, the amount of taxes collected in London could not by any possibility be supposed to represent the amount of taxation which is due or paid by persons living in London, and in those circumstances I do not see how the Return, if it were obtained, could assist him. The hon. Member is, no doubt, aware that most of the principal Railway Companies having termini in London pay at their central offices. It could not be said that the Income Tax paid by the Great Northern Railway Company or the North Western Railway Company, although it is paid in London, could be properly credited to London. The banking business of London also represents the banking business of the whole of England.

SIR G. CAMPBELL: Of the United Kingdom.

MR. JACKSON: Weil, of the United Kingdom.

An hon. MEMBER: And Ireland.

MR. JACKSON: Of the United Kingdom and Ireland. The hon. Member also appeared to think that even Scotchmen living in London and settled here should have their contributions to taxation credited to their native country. But I think the hon.

Gentleman can hardly be serious in saying that when a man has taken up a position in London, follows his profession, and makes his profit here, Scotland should have the credit of his earnings. Again, I mentioned the Railway Companies. It is no doubt true that a great many Scotchmen have investments in English Railway lines, and the Income Tax thereon is payable in England and credited to the account of England; but it is equally true that a great many Englishmen have made investments in Scottish lines, and the Income Tax upon their dividends is collected in Scotland. We have made our calculations in various ways, we have tested them to the best of our ability, and we believe that whatever way you take to arrive at the result, however you conduct the inquiry by figures, the result goes to show that the basis which we have adopted in the distribution of taxation is a fair and equitable one. Then there are various important items which have not been mentioned during the course of these discussions on this clause, and among them may be mentioned the Post Office surplus. From this source you have an item of £3,000,000 going into the Exchequer. We have made some calculations under this head, and it is not easy to arrive at any figures that may be said to be absolutely proved to be correct; but according to the best calculations we have had made, I do not think it would be an unfair apportionment or an unfair estimate to say that, as regards Ireland, there is no surplus as compared with the expenditure upon the Post Office in Ireland, but so far as I have been able to work out the figures there is a surplus in Scotland. It is hardly safe to say what the surplus is, because it is not possible to give any figures which can be relied on as being strictly correct or capable of proof; but according to the best calculations we are able to make there is a surplus receivable from the Post Office on account of Scotland of £120,000 a year. But this means that at least £2,800,000 or thereabouts must be contributed by England, and ought to be credited to England. I do not push this example too far, but I say that in any examination of receipts and contributions, with a view to testing the basis of percent-

age which has been adopted for purposes of distribution, it is right that figures such as these should not be lost sight of; they must be borne in mind because they affect the calculations very distinctly in favour of our plan. I hope I have shown that we have taken some pains to try and verify our calculations, for the apportionment between the respective countries, and this I can say, that all the calculations I have been able to make go to show that the basis which has been adopted by my right hon. Friend the Chancellor of the Exchequer is justified.

\*(2.5.) MR. CAMPBELL-BANNERMAN (Stirling, &c.): I do not rise for the purpose of continuing this controversy, but I do wish to recall the recollection of the Committee to a circumstance which seems to throw a strong light upon the matter. Last night the Chancellor of the Exchequer announced that the Government proposed to appoint a Select Committee to inquire into the financial relations between the three Kingdoms. That, of itself, is an admission on their part—not, as was said at the time, that there is a *prima facie* case of injustice towards Scotland and Ireland—but, at all events, that there is sufficient difference of opinion to justify inquiry. Here we have had to-day my hon. Friend bringing forward what I think—what, as a Scotsman, I am bound to think—is a very strong case indeed, from our point of view, of unjust burden and distribution as between Scotland and England. Therefore, if my hon. Friends go to a Division, I shall certainly vote in favour of the Amendment. When the hon. Gentleman opposite proceeds to adduce figures leading to an opposite conclusion, I confess I am unable, at the moment, to entirely follow the effect of those figures. But what is the use of continuing a controversy if it is certain that we are going to have a full inquiry into the matter? The Chancellor of the Exchequer assents to that, and, surely, he will also assent to this proposition that it is undesirable in this Bill to stereotype any particular arrangement, seeing that the whole matter is going to be considered. I should have thought it would not be an un-



support the Amendment. We have made objections to certain portions of the Bill, objections based upon certain figures furnished us, and now the right hon. Gentleman asks us to compare the figures he has read with the figures in Table A of the Return. The figures differ but slightly, and the difference in no way alters my opinion. The percentages, according to the figures he has given us, are 81·44, 10·43 and 8·13, and in table A the figures stand: England and Wales 81·7, Scotland 10·2, and Ireland 8·1. If our attitude with regard to the Bill was just when based upon the figures found in Table A, our attitude is equally just founded on the figures read out to us to-day. I find myself in the same position I have occupied throughout the discussions, and hence it is that I feel bound to support the Amendment, and I believe my Colleagues intend to support it.

(2.26.) **SIR GEORGE CAMPBELL:** I have admitted that some ground of our complaint has been removed by the promise of full inquiry, and if the application of the proposals in the Bill was to be for a limited period, I do not know that it would be worth while to carry our opposition any further. But the point of duration makes a difference. The Government ask us to pass this Bill into law, and they undertake that, upon the decision of the Committee, possibly at a future time they will get the law altered. I do not want to protract this discussion, but I agree with the hon. Gentleman below the Gangway that the figures of the Secretary to the Treasury do not alter our position, and I think we must support our protest by a Division. The modifications in the figures are very slight, and do not alter the result we arrived at upon the figures previously supplied. The only real modification seemed to me to be in a portion of Schedule C.

**MR. JACKSON:** The whole of that is altered.

**SIR G. CAMPBELL:** I do not find any redress on that account. With regard to my objections as to Schedule D, I do not think they have been met to any considerable degree by the Secretary

*Mr. J. O'Connor*

to the Treasury. It is possible that 45 per cent. may be divided in certain proportion. I quite admit that you are not to give the whole to Scotland, but there is no reason why it should be credited to England alone, for London is the Metropolis not merely of England, but of the United Kingdom, and though some portion may be attributable to England, some also is attributable to Scotland. That part not returnable for London should be distributed for the whole kingdom. The right hon. Gentleman said I seemed to think that the payments of a Scotchman resident in London should not be attributed to London, but I say that there is no reason why they should be attributed to England only. Take my own case. I am a resident in London, but should my constituents no longer require my presence here, and I took up my residence in Scotland, that would make no difference in the payment of Income Tax and Probate Duty should it be my misfortune to become liable to that duty. My small savings invested in Railway Stocks have their dividends paid in London, and the deductions are made here. Under the circumstances I feel it my duty to take a Division, though I wish to avoid further discussion.

(2.30.) The Committee divided:—  
Ayes 94; Noes 155.—(Div. List, No. 103.)

(2.41.) **MR. SEXTON (Belfast, W.):** Although the next Amendment in my name is substantially different from the one just defeated, I do not propose now to move it, as a number of Members are anxious to proceed with the discussion of the Motion of the hon. Member for Barrow. I will, therefore, defer my Amendment until the Report stage.

(2.42.) **MR. CAINE (Barrow-in-Furness):** I do not propose to move my Amendment in the exact form in which it appears on the Paper, but I shall only propose a part of it, and, in doing that, I do not think I need make any speech in its support. The Government have secured the taxation on spirits, and the clause now under consideration proposes that the money raised from the tax shall be appropriated "as Parliament may hereafter direct." I simply move this

Amendment in order to give the Government one more opportunity of receding from the untenable position they have taken up in regard to the extinction of licences. They must be aware that their proposals have excited strong feelings in the country, and my Amendment will give them an opportunity of taking the most sensible and practical course open to them—namely, that of not dictating to the County Councils how the money shall be expended, but to leave it to them to decide. Part of this money is to go towards police superannuation. But many municipalities already possess excellent schemes of superannuation, and they will hardly know what to do with this money. I am sure that if the Government take that course it will relieve them of a great deal of trouble in the future. If the Government will accept my Amendment they will at once be relieved of a great deal of difficulty, for they then will be able to withdraw the police superannuation clause and the provisions for the extinction of licences, and to proceed at once to the clause for stopping the issue of new licences.

#### Amendment proposed,

In page 3, line 15, to leave out the words "Parliament may hereafter direct," and insert the words "each respective County Council in England and Scotland may direct."—(*Mr. Cairnes*.)

Question proposed, "That the words proposed to be left out stand part of the Clause."

(2.45.) MR. T. M. HEALY: I am sorry that the hon. Member has only moved the Amendment in a form in which it applies simply to Scotland and to England. I did not think he would thus have deserted us.

MR. CAINE: I only omitted Ireland from the Amendment because I was not certain that my proposals would be acceptable to hon. Members below the Gangway.

MR. T. M. HEALY: You are making your tax dependent upon three Bills, two of which only have been read a second time, and one of which has not even been introduced, although it was promised to Ireland 17 years ago. The Chancellor of the Exchequer seems to have learned from his Colleague the Chief Secretary

that it is easy to break promises made to Ireland. Now, in this Bill you provide that the money to be raised by the additional tax shall be appropriated as Parliament may hereafter direct. But suppose that, owing to the pressure of business, you are not able to pass the Bill appropriating it, what will you do then? Does the right hon. Gentleman think he is going to pass his Land Purchase Bill and the Local Taxation Bill—or, as the latter has happily been called, the Publicans' Endowment Bill—this Session? I asked the First Lord of the Treasury yesterday if he intended to drop the Land Purchase Bill. He said "No"; and he may not mean to drop it, but we know very well that it will be dropped, and that it is as dead as mutton, and has as much chance of passing through this House as has a camel of passing through the eye of a needle. I think the Local Taxation Bill has just about as much chance of passing into law as the Land Purchase Bill. The hon. Member for Barrow is the Whip of the Unionist Party—

MR. CAINE: No.

MR. T. M. HEALY: At any rate, he has great influence with the leader of that Party, the noble Lord the Member for Rossendale, and from that fact we may judge how little chance there is of passing a Bill containing proposals to which he so strongly objects. Now, if the Government genuinely intend passing these Bills, let them adopt the suggestion I have to make, to substitute for the word "hereafter," the words "in the present Session," and thus provide that the money shall be expended, not as Parliament may hereafter direct, but as Parliament may direct in the present Session. If you do not get your Bills through this year, it will only be fair to abandon the tax. I respectfully protest against the Bill being left in its present shape. Seeing that there is no chance of its passing, would it not be more honest to put in the words I have suggested? It would be a monstrous thing to raise this tax this year and not be able to appropriate it till next year. I challenge the Government to say whether they intend to keep us all here until the Publicans' Endowment Bill and the Landlords' En-

dowment Bill are passed, no matter how long that operation may take. If the tax is raised it will remain in the Treasury until next year, and the taxpayer will be the victim of the confidence trick. And next year there will be the dispute as to what shall be done with it. I do think the Government, if they mean to pass the Bills, should insert in this clause the words I have suggested. On these grounds I support the Amendment of the hon. Gentleman the Member for Barrow (Mr. Caine), and, if it be not accepted, it will give me great satisfaction to move my own Amendment.

(3.0.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The hon. and learned Gentleman who has just spoken seems to contemplate the fact that a clean sweep will be made of all the measures the Government have brought forward this Session.

MR. T. M. HEALY: Except the Tithes Bill.

MR. RITCHIE: I did not hear that measure specially named. If it be any satisfaction to the hon. and learned Gentleman to know what the intentions of the Government are, I will tell him that there is not the slightest intention on their part either to drop the Land Purchase Bill or not to deal with the licensing proposals; while it is the intention of the Government, with the assistance of the House of Commons, to pass the Local Taxation Bill during the present Session.

MR. T. M. HEALY: Then you accept my Amendment?

\*MR. RITCHIE: No, that is a different matter. I hope I have now, in as explicit terms as the right hon. and learned Gentleman can desire, set his mind at rest as to what are the intentions of Her Majesty's Government with reference to these two measures, and I may add that I hope and believe that the Licensing Bill, or what is called the Licensing Bill, will receive the assent of Parliament during the present Session. I am sorry I was not in the House when my hon. Friend the Member for Barrow moved the Amendment which stands in his name. I understand that he did not

*Mr. T. M. Healy*

accompany it with any elaborate remarks, but that he stated its main object was to give an opportunity to Her Majesty's Government to recede from the position they have taken up with reference to this matter. I am very much obliged to my hon. Friend for affording us such an opportunity, but it is my duty to inform him that Her Majesty's Government are unable to accept the opportunity he has put before them. The Government are convinced that the proposals they have made are distinctly in the interests of temperance, and they consider it their duty to proceed with this Bill. If there ever was any doubt in the minds of the Government as to the course incumbent upon them to pursue, that doubt has unquestionably been removed by the attitude taken up by the Party to which the hon. Member belongs, and the uncompromising manner in which they desire to deal with this question. The hon. Member and his friends have given an importance and prominence to the proposals of the Government which they themselves never contemplated they would assume, and they have rendered it impossible for the Government to depart from the position they have taken up without leading to the gravest and greatest misunderstanding as to the objects they have in view. The hon. Member has spoken about the great opposition to the Government proposals. My firm conviction is that the opposition arises largely from a misunderstanding as to the scope and objects of the Government proposals. I do not wish to attribute blame in any quarter, but I am not astonished at the misunderstanding which exists when I consider the misrepresentations which have been made in many quarters as to the proposals of the Government.

MR. CAINE: What quarters? By whom?

\*MR. RITCHIE: It is, I think, evident from the Resolutions that have been received that there is a misunderstanding on the part of large numbers of the Temperance Party. The Government are now receiving Resolutions protesting against the Government granting compensation to publicans whose licences have been refused by the Magistrates.

This shows most completely the entire misunderstanding which has prevailed as to the proposal made by the Government. During the last few days the Government have been receiving unmistakable evidence that their proposals are meeting with most favourable consideration. They are even now receiving Resolutions and letters thanking them for the proposals, and hoping that the Government will persevere with them in the interests of temperance.

MR. T. M. HEALY: Read, read.

SIR W. LAWSON: From whom?

\*MR. RITCHIE: The hon. Member knows that it is impossible for me to say at this moment from whom they have been received, but they come from individuals and public meetings. I have received a telegram only to-day containing a Resolution passed at a public meeting in the Bridgeton Division of Glasgow, warmly approving the proposals of the Government. I am convinced that the more widely the Government proposals are circulated the greater will be the support which the Government will receive for them in the country. Therefore, thanking the hon. Member for Barrow for the opportunity he has offered us of receding from our position in this matter, I once more beg to assure him that we have not the smallest idea of taking that course, but that it is our intention to proceed with our proposals, in the firm belief that not only are they made in the interests of the Temperance Movement, but also that they will be supported by a large majority in this House. The hon. Gentleman asks us to leave this matter in the hands of the County Councils. I do not exactly understand the position he takes up on this point. He cannot blow hot and cold at the same time. He must know that we have already proposed to leave a large sum of money in the hands of the County Councils for the extinction of licences, if they choose so to apply it, and we believe that they will exercise those powers in a discreet and judicious manner. The hon. Gentleman, however, and his friends do not think so, and yet they want us to leave the whole of the money at the disposal of the County Councils, to apply in any way they choose.

MR. CAINE: What I have said is this, that you propose to raise the money for the express purpose of relieving the burdens of local taxation, and that the best method of applying it would be to hand it over to the County Councils, and allow them to use it as they think fit, making no provision by Act of Parliament as to any particular mode of disposing of it.

\*MR. RITCHIE: But surely the hon. Gentleman must remember what was done by the Local Government Act of 1888. The course he suggests was certainly not pursued in that case. What was done was to hand over a large sum to the Local Authorities to be applied by them to certain distinct purposes, and we are now acting in accordance with the proposal then laid down. We say to the Local Authorities, we give you this money for the purpose of doing certain things, among others applying it to police superannuation, which is a matter that has been under discussion for a great many years, and one which it is generally admitted requires to be dealt with. We made the same provision as to many other matters, which I need not now refer to. I think we did perfectly right when we gave over that money to the County Councils to accompany the transfer with obligations as to its disposal, and what we are now doing is in strict conformity with what was then enacted. In conclusion, I have only to express my regret that Her Majesty's Government cannot accept the proposal of my hon. Friend, and I, therefore, must ask the Committee to adhere to the proposal we have attached to the Bill, namely, that the money we pay to the Local Authorities shall be disposed of in the manner pointed out by the Bill.

(3.10.) SIR W. LAWSON: The right hon. Gentleman has spoken boldly and courageously of what the Government intend to do with regard to this Bill, but I should like to recall to his memory the fact that on a certain day in June, 1888, when the then Compensation Clauses were brought forward, the hon. Gentleman the Member for Barrow got up and asked the leader of the House, "Do you intend to stick to your Com-

dowment Bill are passed, no matter how long that operation may take. If the tax is raised it will remain in the Treasury until next year, and the taxpayer will be the victim of the confidence trick. And next year there will be the dispute as to what shall be done with it. I do think the Government, if they mean to pass the Bills, should insert in this clause the words I have suggested. On these grounds I support the Amendment of the hon. Gentleman the Member for Barrow (Mr. Caine), and, if it be not accepted, it will give me great satisfaction to move my own Amendment.

(3.0.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The hon. and learned Gentleman who has just spoken seems to contemplate the fact that a clean sweep will be made of all the measures the Government have brought forward this Session.

MR. T. M. HEALY: Except the Tithes Bill.

MR. RITCHIE: I did not hear that measure specially named. If it be any satisfaction to the hon. and learned Gentleman to know what the intentions of the Government are, I will tell him that there is not the slightest intention on their part either to drop the Land Purchase Bill or not to deal with the licensing proposals; while it is the intention of the Government, with the assistance of the House of Commons, to pass the Local Taxation Bill during the present Session.

MR. T. M. HEALY: Then you accept my Amendment?

\*MR. RITCHIE: No, that is a different matter. I hope I have now, in as explicit terms as the right hon. and learned Gentleman can desire, set his mind at rest as to what are the intentions of Her Majesty's Government with reference to these two measures, and I may add that I hope and believe that the Licensing Bill, or what is called the Licensing Bill, will receive the assent of Parliament during the present Session. I am sorry I was not in the House when my hon. Friend the Member for Barrow moved the Amendment which stands in his name. I understand that he did not

*Mr. T. M. Healy*

accompany it with any elaborate remarks, but that he stated its main object was to give an opportunity to Her Majesty's Government to recede from the position they have taken up with reference to this matter. I am very much obliged to my hon. Friend for affording us such an opportunity, but it is my duty to inform him that Her Majesty's Government are unable to accept the opportunity he has put before them. The Government are convinced that the proposals they have made are distinctly in the interests of temperance, and they consider it their duty to proceed with this Bill. If there ever was any doubt in the minds of the Government as to the course incumbent upon them to pursue, that doubt has unquestionably been removed by the attitude taken up by the Party to which the hon. Member belongs, and the uncompromising manner in which they desire to deal with this question. The hon. Member and his friends have given an importance and prominence to the proposals of the Government which they themselves never contemplated they would assume, and they have rendered it impossible for the Government to depart from the position they have taken up without leading to the gravest and greatest misunderstanding as to the objects they have in view. The hon. Member has spoken about the great opposition to the Government proposals. My firm conviction is that the opposition arises largely from a misunderstanding as to the scope and objects of the Government proposals. I do not wish to attribute blame in any quarter, but I am not astonished at the misunderstanding which exists when I consider the misrepresentations which have been made in many quarters as to the proposals of the Government.

MR. CAINE: What quarters? By whom?

\*MR. RITCHIE: It is, I think, evident from the Resolutions that have been received that there is a misunderstanding on the part of large numbers of the Temperance Party. The Government are now receiving Resolutions protesting against the Government granting compensation to publicans whose licences have been refused by the Magistrates.

This shows most completely the entire misunderstanding which has prevailed as to the proposal made by the Government. During the last few days the Government have been receiving unmistakable evidence that their proposals are meeting with most favourable consideration. They are even now receiving Resolutions and letters thanking them for the proposals, and hoping that the Government will persevere with them in the interests of temperance.

MR. T. M. HEALY: Read, read.

SIR W. LAWSON: From whom?

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pensation Clauses?" The reply then made by the right hon. Gentleman being, "Certainly, Sir." But within so short a period as 24 hours the leader of this House withdrew them all. The right hon. Gentleman has spoken of a precedent. I say that that is a precedent, and it is one which I think the Government would do well to follow. I regard the speech just made by the right hon. Gentleman as one of the most extraordinary speeches he has made in this House for a very long time. The tone of his remarks was this, that the Government are not insisting upon these proposals because they are particularly impressed with their necessity, but that the matter has been so much talked about in the country, and is considered of so much importance, that therefore they must go on with it. They seem to be actuated by a kind of pique, and I, for one, certainly never heard so extraordinary a statement made by a responsible Minister. What does the right hon. Gentleman mean by "misrepresentation," or by saying that this is not a compensation measure? The Chancellor of the Exchequer would hardly get up and make the same statement, because in his Budget speech we have the very inception of this policy. In a pamphlet just issued by the Chancellor of the Exchequer I find the phrase that he was going to do something for the brewers which would bring them much compensation and consolation.

MR. GOSCHEN: I hope the hon. Baronet is sufficiently master of the English language to know that the word "compensation" may be used in two senses.

SIR W. LAWSON: I do not think the Chancellor of the Exchequer need interrupt me in order to make that statement. We all of us know that the Government are using the word compensation in two senses continually, and that the compensation which is to be given to the brewers is not the compensation which gives consolation to the majority of the people who desire to get rid of the drink traffic. However, the right hon. Gentleman the President of the Local Government Board has declared war. My hon. Friend the Mem-

*Sir W. Lawson*

ber for Barrow has done what he could to make peace. He asked the right hon. Gentleman to withdraw while he could with all the honours of war. "No," says the right hon. Gentleman, "we will fight it out, and we do so because you consider it important, not because the Government think it important. Therefore, we accept your challenge." Well, we have held out the olive branch, and have done all we could to make peace, the battle is now set and we must fight it out, and I assure the right hon. Gentleman that we mean to fight it out. Let him be quite sure of that. It is nonsense for the right hon. Gentleman to get up and say, "This is a temperance proposal." That will not do. They may go on making that statement as long as they like; but the longer they say it the less will the people believe them. We see this measure supported up and down the country by the great Drink Party; but, at the same time, nine-tenths of the Temperance Party are opposing it tooth and nail. Here is a letter I have just received, showing how keenly the Drink Party are supporting the Government. It is a letter from a publican in Manchester, who wrote with great glee after the result of the Division the other night. He says—

"The Chancellor of the Exchequer's public purse this day will receive £5,000, and we lovers of fair play are drinking to his health."

[*Laughter.*] Well, those are his own words. Those are the right hon. Gentleman's friends; this is the right hon. Gentleman's Temperance Party.

MR. GOSCHEN: Lovers of fair play.

SIR W. LAWSON: Yes; and lovers of drink too. I wish the right hon. Gentleman joy of his party. After the speech of the right hon. Gentleman there is no drawing back on his part; there will be none on the other side; the battle will be fought out, and it will be seen whether the Temperance Party or the Government and the publicans are the strongest in the country.

(3.15.) MR. ROWNTREE (Scarborough): Surely it would be much better for this House to develop the plan of allowing the money allocated to the Local Authorities, to be applied

as they may think fit, than for the Imperial Parliament to impose restrictions as to the purposes for which it may be employed—a procedure which is certain to lead to great inconvenience in the future. It appears to me that the Government have not yet fully realised what are the strongest objections to the proposals embodied in this clause. In my own opinion nothing has ever occurred during the present Parliament which has raised so general and widespread a feeling of opposition as has been created by the introduction of this measure. I may here say that I think it would contribute to the calmer consideration of this question if we were not told from time to time that the proposal is made in the interests of temperance. It appears to me to be merely trifling with the House and the country for the Government to keep on repeating this assertion. That is not the suggestion that was put forward in the Chancellor of the Exchequer's Budget speech.

MR. GOSCHEN: The hon. Gentleman is under a misapprehension; it was put forward in my Budget speech, in which I distinctly stated that we were endeavouring to assist the cause of temperance. I also spoke of the large increase in the consumption of liquors, which rendered it necessary for the House to go into the matter, and it was on this account that the Government introduced the clause to stop the issue of new licences. Therefore, the Bill was introduced in the direction of temperance.

MR. ROWNTREE: That does not affect what I was saying, which was that this is not solely in the interests of temperance.

MR. GOSCHEN: I never used the word "solely."

MR. ROWNTREE: The President of the Local Government Board has done so in the House and in the country, and the Chancellor of the Exchequer said that the Government would introduce a measure which would bring the brewers much consolation and compensation.

MR. GOSCHEN: I believe the suspension of the issue of new licences is agreeable to the brewers, and, although the stoppage of the issue of new licences may have given dissatisfaction to other parts of the trade, it is certainly a measure in the direction of temperance.

MR. ROWNTREE: But I put it to the Committee, why should we be asked to give compensation twice over? Because that is what it comes to. The brewers are satisfied with having their monopoly enhanced and increased, and every organ of the trade recognises the fact; and yet, above and beyond this, we are asked to give money to buy the very places the suppression of which will add to the value of the existing monopoly. To be told that this is in the interests of temperance is trifling with the intelligence of the House and the country. I feel afraid that the Government will not be strengthened by the feeling they have aroused and the opposition they have created throughout the country by their policy on this subject—an opposition which I think they will find much greater and stronger than they have calculated upon.

(3.20.) SIR W. HARCOURT (Derby): I do not intend to speak at length on this Amendment, but I shall take this and every other opportunity of expressing my desire to defeat the plans of the Government on the subject of compensation. I know that the Government raise a verbal issue as to the use of the word "compensation," but it does not seem to me to be of much importance what meaning they attach to it. We understand what it is, and nearly everybody, not only on this side of the House, but those engaged in the liquor trade, regard it, and what is generally understood by compensation. Not only so, but the other day I read a speech which was delivered by a great authority on the Conservative side—I allude to the right hon. Gentleman the Secretary for Ireland—who was addressing the ladies of the Primrose League. I am quite sure the right hon. Gentleman would have addressed them in most grammatical language; and in that speech he recommended this measure as one that would not be disagreeable to the publicans, because it established the principle of compensation. Therefore, do not let us be found fault with if, in addressing our constituents, we use the same words and sentiments as were conveyed by the Secretary for Ireland to the Primrose Dames. As to the real character of this measure, what is the use of the Chancellor of the Exchequer saying his Budget



speech was in favour of temperance, and what is the use of the Church of England Temperance Society saying the same thing when, in any reading rooms you enter, you find all the organs of the publicans joining in a paen of approbation of this measure, while in all the temperance organs you find it is denounced? The measure is approved and praised to the skies by the entire liquor interest, while it is strongly denounced by every temperance organ in the country. I do not think that even the hon. Member for South Tyrone (Mr. T. W. Russell) can find a single newspaper which approves of the course he has taken, and I only mention him because I desire to call him as a witness to the fact that the temperance opinion prevailing in this country is adverse to the Bill. I do not deny there are some persons who share his views, but he is too candid a man to deny that the enormous and overwhelming majority of temperance opinion in this country is strongly adverse to the Bill. Well, the Government have rejected the offer made to them by my hon. Friend, and I am very sorry that they have taken, as far as they can, the means of cutting off their retreat. They felt that it was necessary and prudent to beat a retreat in 1888, but now they have nailed the compensation flag to the mainmast of the Unionist Party and are going into action under that flag. The flag of compensation has been hoisted by the Chancellor of the Exchequer, and under that banner my noble Friend the Member for Rossendale (Lord Hartington) is going to fight. Of course, the Unionists are the best judges of what should be their own policy, and we cannot but regret the issue they have adopted. Undoubtedly, this is the issue which, at this moment, mostly engages the attention and interest of the whole country, and it is to this issue the Unionist Party have committed themselves. For our part, we are willing to fight upon that issue, and I warn the Government that this is only one of the smallest skirmishes or outpost affairs likely to arise on this question. The great pitched battle—indeed, there will be many of them—has yet to come. Both in this House and in the country and on the issue thus raised we are ready to meet the Government and the Unionist Party.

*Sir W. Harcourt*

(3.25.) MR. GOSCHEN: The right hon. Gentleman has said that this is only a kind of outpost affair compared with what we have had.

SIR W. HARCOURT: No, compared with what we are going to have.

MR. GOSCHEN: I only hope that the right hon. Gentleman will, so far, be true to his declaration that they are to be pitched battles and not simply dilatory and guerilla warfare.

SIR W. HARCOURT: I mean every kind of warfare.

MR. GOSCHEN: Already there has been one pitched battle, in which the Opposition was signally defeated.

SIR W. HARCOURT: We do not know when we are beaten.

MR. GOSCHEN: And the Government will not know when they are beaten until they are really beaten on the subject. But the right hon. Gentleman says this measure must be against the cause of temperance, because the Temperance Party say so. The fact is, however, that before they had even read the Bill, or knew what it was to contain—before the provisions of this measure were laid on the Table—I myself received hundreds of stereotyped objections from Good Templars and others against the proposals we were going to make.

SIR W. HARCOURT: They knew the author.

MR. CAINE: They had read your Budget Speech.

MR. GOSCHEN: Yes, but they had read it accompanied by the misrepresentations which were made and accompanied by the necessary interpretation afforded by the Bill. I wish the public thoroughly to understand what has happened, namely, that before our proposals were made known—the proposal as to the purchasing of licences not having been made known in the Budget Speech—our proposals were condemned by a fictitious and a factitious opposition which was got up in advance. Another reason why the right hon. Gentleman says this proposal cannot be in favour of temperance is that compensation is attached to it. He assumes that compensation and the reduction of the traffic in drink can have no relation to each other. We, however, deny that that this is a Compensation Bill; but, even if it were, it cannot be said that a

reduction in the number of public houses is not in the interests of temperance. Why has the number of licences continued to increase? Why has no previous Government been able to deal with this question before? It is because the Temperance Party have taken up an attitude of absolute confiscation. We believe we shall be able to prove by the results that this is a step in the direction of temperance, which the Temperance Party have never dared to take, because they have preferred to establish the principle of no compensation rather than make a serious reduction in the number of public houses. The Temperance Party have brought the matter to a deadlock. We are attempting to remove that deadlock, and we believe we shall succeed. Hon. Members opposite have prevented progress in this direction by taking up an attitude which they have never induced the people of this country to assume, and which none of their leaders have ever assumed until within the past few days under the stress of Party emotion. Unless something is done in the direction in which we are moving, I believe the temperance cause will permanently suffer. If the right hon. Gentleman chooses to go about telling the country that this is simply a Compensation Bill, he may do so, but it is absolutely untrue. The essence of the Bill is to diminish the number of licences, and it is a misnomer to say that the money is going to be applied to compensation, when it is going to be applied to the purchase of the goodwill which the owners may sell in the market to others if they choose. I did not intend to prolong this discussion, but the right hon. Gentleman has been persistent in calling this a Compensation Bill when it is not a Compensation Bill. Hon. Members, if they choose to call it a Compensation Bill, may do so; but, at all events, they will admit that there is more in it than that. They will admit there is in it a diminution of licences. I must say I believe it will have a disappointing effect on the true and moderate friends of the temperance cause throughout the country to see the attitude taken up by men who prefer to continue the assertion of a principle the country will not accept rather than to make any real progress in the direction of temperance.

\*(3.35.) MR. H. H. FOWLER (Wolverhampton, E.): The right hon. Gentle-

man says the present agitation is fictitious and factitious. Well, the right hon. Gentleman knows a great deal. I am not sure that he is not one of the best-informed men in the House as to most political questions; but one thing he is most profoundly ignorant of, and that is the moral sentiment of the middle and artisan classes of this country; and I think he will find that he has embarked in a conflict in which the feelings of the middle and artisan classes have been aroused in a way in which they have not been aroused on any other question certainly within the past two years.

(3.36.) MR. GOSCHEN: What I said was, that the agitation which was set on foot before our proposals were known was a fictitious and factitious agitation. But since our proposals have become known, I quite admit that the agitation on this matter is an earnest one in the minds of those who engage in it.

\*(3.37.) MR. H. H. FOWLER: At all events, they now have the Bill of the Government before them, and during the Whitsuntide Recess I have no doubt hon. Gentlemen opposite will take the opportunity of addressing some large public meetings—open, not ticket meetings—to take the opinion of their constituents as to this Bill. The hon. Member for South Tyrone will probably attend some of these meetings, which will be of a temperance character, to give an air of impartiality to the proceedings. If the right hon. Gentleman can get 10 open meetings of the working and middle classes to pronounce in favour of the Bill, I shall be willing to concede that this agitation is fictitious. The people of this country believe drunkenness to be the curse and the crime of this country, and they believe that if this Bill becomes law it will strike a fatal blow at all temperance legislation. ["No, no!"] That is the point. Argue it if you like, but I want to put the case strongly before you to justify the attitude we take up. The sum which it is proposed to lay aside for the purchase of licences may be small, but if you embody this proposal in an Act of Parliament you will be creating a vested interest and admitting the principle of compensating owners of licences when licences are discontinued; you will be surrender-

ing the whole position, and in future will be able to carry out no temperance legislation without an enormous expenditure of public money. The Member for West Birmingham the other day talked—and others have written in the Press—about depriving the honest, hard-working publican who has devoted the whole of his life up to the present to the carrying on of his trade of the means of earning a livelihood. They say that to deprive them of compensation would be unjust. Not 10 per cent. of the licences in this country belong to the men who carry on the business; but in this Bill we are asked to vote large sums of public money to the brewers who have invested their money in a species of speculation just as anyone may speculate in nitrate shares or South African shares. Who ever heard of compensating people who have invested their money in the belief that a certain state of things will happen when an entirely different state of things arises which dooms them to a loss in their shares? We shall have an opportunity, on a future day, of taking a distinct issue on this point, divested from all its surrounding circumstances, and of seeing whether the sympathy of the Government is with the tenant from year to year. I would assure the right hon. Gentleman that this agitation is genuine and real, and will be one of the stiffest, most stubborn, and most protracted fights that this or any other Parliament has ever known, because we believe that the principle at stake is the question of the future of temperance legislation in this country. I believe that if this Bill passes, a fatal blow will be struck at all temperance reform.

Mr. T. W. RUSSELL rose to continue the discussion.

THE CHAIRMAN: I must recall the Committee to the issue before it. 'The issue is not the merits or demerits contained in the proposals of another Bill, but the question whether the proceeds of this tax should be appropriated in the manner proposed in another Bill, or given to the County Councils to do as they like with it.

Mr. CAINE: When I moved the Resolution, I was extremely careful not to introduce any matters extraneous to

*Mr. H. H. Fowler*

the Motion before the House, and the sole blame for transgressing in advance the rule you have just given must be laid upon the Treasury Bench. I hope you will not rule me out of order if I answer what has been stated by the President of the Local Government Board and the Chancellor of the Exchequer. The right hon. Gentleman has referred to what he is pleased to call the fictitious and factitious opposition raised previously to the Customs and Excise Bill.

Mr. GOSCHEN: I rise to order. I was allowed to reply to the right hon. Gentleman the Member for Derby (Sir W. Harcourt), and the right hon. Member for Wolverhampton (Mr. H. H. Fowler) replied to me. The hon. Member for South Tyrone (Mr. T. W. Russell) rose just now possibly to reply to the right hon. Member for Wolverhampton; and as he was not allowed to do so, is it in order for the hon. Member for Barrow (Mr. Caine) now to reply to our speeches?

THE CHAIRMAN: I think the hon. Member for Barrow would be well advised if he allowed the matter to rest, after the remarks of the right hon. Member for Wolverhampton.

Mr. CAINE: I will carry out your suggestion, Mr. Courtney, and will avail myself of some other opportunity of replying to the observations of Gentlemen opposite. I will merely put forward some reasons why the Government should consent to my Amendment. The Liberal Unionist Party are divided on this subject. When the hon. and learned Member for Inverness (Mr. Finlay) is able to oppose this measure, we can justly claim that a section of the Party which is worthy of consideration is out of accord with the Government. We are Liberal Unionists, but the right hon. Gentleman opposite seems to think we must drop the adjective and stick to the noun. I am not prepared to do anything of the kind, and I warn the Government—knowing much of the inner working of the Liberal Unionist Party—that if they persevere with this Bill, their action can only end in the breaking up of the Unionist Party. I dare say, as far as this House is concerned, that the fragments which will be broken off may be small; but that is not so in the country, and I know that the allegiance of the Liberal Unionist Party to the Govern-

ment is now being strained to the utmost. What is our position in regard to the Government itself?—that we should support them with the distinct understanding that they will proceed with remedial legislation for Ireland.

THE CHAIRMAN: The hon. Member's remarks are not revelant to the question before the Committee.

MR. CAINE: I will not pursue the discussion further, but will conclude with the expression of a hope that they will avail themselves of this last plank I throw out to them

MR. T. W. RUSSELL: I wish to say that I rose to reply to some of the remarks made by the right hon. Gentlemen the Members for Derby and Wolverhampton about myself, but I respected your ruling, Sir, and refrained.

(3.45.) The Committee divided:—  
Ayes 203; Noes 127.—(Div. List, No. 104.)

(3.58.) MR. T. M. HEALY: I congratulate myself upon moving an Amendment which I am sure the Government will cordially accept, namely, after "direct" to add "by any Act passed in the course of the present Session." I am sure those words will give great gratification to the Government. I would like to explain to the Conservative intelligence exactly how the matter stands. The ground of the Amendment is that the Government by another Bill declare they will appropriate this tax in a particular way. If they do not pass the other Bill, they will not want this money. Every Conservative Member, therefore, if he believes in the First Lord of the Treasury and the Chancellor of the Exchequer with that faith to which I believe the belief of the Mahomedans in Mecca is nothing, must support my Amendment. To oppose my Amendment would mean that they did not believe in the pledges of the Government or in the statement of the First Lord of the Treasury that they mean to pass these Bills this Session. I invite the Conservative Party not to throw discredit and doubt on the honour and faith of their leaders. The First Lord of the Treasury has declared over and over again that he is going to pass the Publicans' Compensation Bill. [*Ministerial cries of "No!"*] Then he intends to drop it.

THE CHAIRMAN: If the hon. Member will refrain from using invidious language the discussion can be conducted without interruption.

MR. T. M. HEALY: Well, the title is the Local Taxation (Customs and Inland Revenue) Bill. It was only to save the time of the House that I shortened it.

THE CHAIRMAN: The hon. Member is not saving the time of the House.

MR. T. M. HEALY: The Government have over and over again declared their intention of passing the Local Taxation—in brackets—Customs and Inland Revenue Bill, and they are pledged to pass their other measure also. We know we can rely upon the faith of Ministers absolutely. Every pledge they have ever given has been absolutely fulfilled. We know they intend to give Local Government to Ireland; and though it has been promised for the last 17 years, I have no doubt the pledge will be redeemed this Session. This Session they are going to pass the Irish Local Government Bill, the Land Purchase Bill, and the Bill with names in brackets. This Amendment is a simple recognition of Conservative good faith, and I cannot conceive the Government rejecting it. I believe they will welcome it with gratitude. I believe I shall be hailed as a benefactor to the Conservative Party, as a man who, whatever my misdeeds have been in the past, has now enabled the Conservative Party to give complete assurance to the landlords and the publicans. One of the legs of the Government rests on the landlords and the other on the publicans, and that being so they will adopt my Amendment. They will not allow any doubt whatever to creep into the publican's breast, which is a most sensitive breast. It is not enough for the Government to declare their intention of passing the Bills—human intentions, we know, are fickle, and I am sure the House will not be content with a declaration that the Government, as at present advised, mean to pass the measures. All we want from them is a declaration that even if the House be kept sitting until Christmas, and the Christmas following, nothing will prevent them from carrying the measures.

Amendment proposed, Clause 7, page 3, to add at the end of the Clause, "by any Act passed in the present Session."—  
(*Mr. T. M. Healy.*)

Question proposed, "That those words be there added."

(4.10.) MR. GOSCHEN: The hon. and learned Member made an unnecessarily long speech. He said the same thing—and I counted it—13 times over.

MR. T. M. HEALY: I withdraw the other 12.

MR. GOSCHEN: Unfortunately, the hon. Member cannot withdraw the time he has wasted. No doubt it is a humorous thing to withdraw the 12 times, but it will be noted that the time which is lost by these repetitions is not saved afterwards by retraction. Why did he not ask us whether we would accept the Amendment? It is a very simple Amendment. We intend to pass an Act this Session applying this money, and we have no objection whatever to put these words into the Bill.

Amendment agreed to.

\*(4.11.) MR. H. H. FOWLER: I have no wish to imperil the passing of this Bill through Committee before half-past 5, as I consider that, although no undertaking has been given, there is an understanding that we should finish the present stage to-day. I will, therefore, shorten my observations as much as possible. Clause 7 raises the question of the allocation of these debts to Local Authorities. Even if the objects of this Bill were such that there was no difference about them I should object, on financial grounds, to the further subvention of Local Authorities out of Imperial funds. I think the Chancellor of the Exchequer has unnecessarily re-opened the controversy on this point. The controversy has lasted for a great many years. It was practically brought before the House first by Sir Massey Lopes some 10 or 12 years ago, and it was understood on both sides that the question was closed by the proposals made in 1888. On that occasion the Chancellor of the Exchequer said that, as far as he was concerned, he had shown his whole hand, and it is evident the Government then thought ample justice had been done to the local taxpayer. This is a re-opening of the controversy. You cannot re-open the question without asking where the real burden of local taxation lies, and to what extent that burden has been lessened by the legislation of 1888. It was stated in

1888 that 68½ per cent. of the local taxation was borne by the Metropolis and urban districts, and 31½ by the rural districts. This fact has not been sufficiently borne in mind in the allocation of funds to local purposes, and, as a result, the country districts have received a larger share than they ought to have received. The poor rate proper, i.e. the portion of the rate expended on the relief of the poor, stands in precisely the same position as the tithe. It is a burden on the land, and has been so for three centuries. So far from being an increasing, it is a decreasing burden. I find from the last Report of the Local Government Board presented to Parliament that during the last 15 years the increase of rates in the Metropolis has been 76 per cent.; in the urban districts it has been 66 per cent.; in the partly urban and partly rural districts 17 per cent.; and in the purely rural districts only 10 per cent.; and you are now going to increase the very large subvention to local taxation. I am not asking that the settlement of 1888 should be re-opened, but I maintain that the subvention should not be increased. What was the settlement of 1888? The Chancellor of the Exchequer proposed to appropriate for local purposes £2,969,000 from licences and £1,800,000 from the Probate Duty; he also proposed a new tax of £826,000. I am not going to talk of the Wheel and Van Tax, which succumbed to what I suppose the Chancellor of the Exchequer will call a factitious and fictitious opposition, but I think that there is a great deal to be said for the Horse Tax if it had been fairly assessed with no exemption at all. At all events, the Chancellor of the Exchequer might have left it to the Local Authorities to say whether they would impose this tax or not. The main reason that was urged for the imposition of those taxes was that they were to provide for the increased burdens to be thrown on the Local Authority in consequence of the repair of roads and in substitution of turnpikes, which have practically been abolished. How have the figures worked out? The Chancellor of the Exchequer expected £3,000,000 from licences and £1,800,000 from the Probate Duty. I regret the absence of Returns showing the amounts granted

and the amounts allocated ; but there is the Chancellor of the Exchequer's own statement that the taxes he proposed to allocate for local purposes have amounted to £415,647 more than he anticipated. That is to be set against the £826,000 of the new taxes proposed, and, further, the Chancellor of the Exchequer estimates this year that the Probate Duty proposed to be handed over will be £2,400,000. Practically, then, the Local Authorities are going to get, and have already got, all the relief anticipated in 1888, or within £200,000 of it, and that will soon be made up by the increment in the Licence and Probate Duty. Upon that ground the Chancellor of the Exchequer cannot be justified in handing over, out of Imperial funds, £1,300,000 to the Local Authority to carry out the settlement which was declared to be closed in 1888. Apart from all the other contentious parts of the Bill, I protest against the handing over of this sum from Imperial funds which we want for Imperial purposes, because, if there was any disturbance of the public peace, we shall find ourselves at a great disadvantage from having parted with this source of Imperial revenue. But there is, further, an inequity in this arrangement with reference to the various sources from which these funds are derived. The classes who pay Imperial taxation and those who pay rates are two distinct bodies, and if we are taking money from the taxpayer to relieve the ratepayer we must look at the incidence of taxation in both cases. What are the proportions of the contributions from the working and artisan classes to Imperial funds, and what are their contributions to the rates? In a speech delivered in this House in 1877 Mr. Holmes, the then Member for Paisley, said that Professor Leone Levi estimated that the working class contributed one-sixth to local rates, and the upper and middle class five-sixths. This estimate was adopted by the right hon. Gentleman the Member for Mid Lothian in 1873. On the same occasion Lord Beaconsfield took the proportion as one-fifth and four-fifths. Just in proportion as you make grants from the Imperial Exchequer in aid of local rates, you relieve the middle and upper classes to the extent of four-fifths of the amount granted, and the working classes to the extent of

one-fifth. So unless you are prepared to show the same proportion of four-fifths and one-fifth in Imperial taxation, you are putting a burden on the working classes in relieving those who largely pay local rates. Mr. Holmes, in his speech, put the case in a concrete shape thus: Of a sovereign contributed to local taxation the working man pays 4s. But what is his contribution towards Imperial taxation? In the opinion of the authority I have quoted—an opinion I do not altogether agree with, although I quote it—after a careful investigation of his long and interesting speech full of facts and figures, his opinion is that the working classes pay three-fifths and the upper and middle classes two-fifths. It is a very big question, and I am not going into it now ; but I have very carefully worked at the figures, taking out the various sources of taxation, the taxation on consumable articles in the year just closed at £43,500,000, the amount raised on property £22,500,000, the stamps and licences £8,000,000, and working out the proportion of the £43,500,000 paid by the working classes alone. But we have a very suggestive figure given by the Chancellor of the Exchequer in his speech on the Budget in reference to the House Duty. He showed that four-fifths of the houses of the country are under £20 in value ; that is, that they belong to the artisan class or the classes beneath them. My own impression is—I give it with the greatest doubt and hesitation, but should be prepared to argue it, if we had time and opportunity, with great diffidence—that at the present time the Imperial taxation of the country is about equally divided between the propertied and the working classes. If the figures are at all right, the Committee will see that the proposals of the Government amount to taking 20s. from a pocket to which the working classes contribute 10s. and putting it into a pocket for local taxation purposes to which the same class contribute only 4s. So the result of the transfer is seen. The Chancellor of the Exchequer gave the turn of the balance in favour of the rural rate-paying interest, and they have no further claim on the contribution of upwards of £1,250,000. They have found the Chancellor of the Exchequer's contributions a

very pleasant thing. I was looking the other day over the balance sheet of my own county of Stafford, which has enjoyed rather a fair share of these subventions, and I commend to the attention of hon. Members who are familiar with the taxation in large towns a comparison with these financial proposals for the county for a rate of  $3\frac{1}{4}$ d. Is that an enormous burden of local taxation? With all the objects we have in view for Imperial purposes, with changes looming in the future, and the many things desired in the present, apart from all statistical questions, is there any public reason or fiscal reason, any just reason for further increasing contributions from Imperial funds to Local Authorities? And, remember, if you provide Local Bodies with funds they do not raise, you diminish their responsibility for expenditure. It is easy to be generous with other people's money. If County and Borough Authorities are to have the assistance of Imperial taxpayers for local purposes, you diminish local responsibility and destroy one of the most valuable guarantees for local economy. I hold not only that those who pay the rates should control the expenditure of the rates, but that those who control should pay, and you cannot separate the two bodies without all the old evils of Imperial subventions promoting local extravagance. In reference to this matter—I am not going into it now—I shall have some strong representations to make upon the Police Superannuation Fund. That raises a very formidable question as between those solvent County and Borough Authorities who have carried out the law, being placed at a disadvantage as compared with those who have not. Mine has been but a condensed, disjointed statement, but I have been fettered by the desire not to protract the Debate. My broad and general objection is that we have done enough in the form of Imperial subventions to Local Authorities, that the controversy was closed in 1888, and it is unwise now to re-open it.

(4.40.) MR. GOSCHEN: I appreciate the sacrifices the right hon. Gentleman has made to brevity, and the disadvantages he was under in dealing with his subject within a short space of time. I may add that I feel equally embarrassed in dealing with his argu-

*Mr. H. H. Fowler*

ments in the short space of time I can give to reply. I may also suggest that it is much easier for the right hon. Gentleman to prepare his case and have all his figures ready than it is to reply when one does not know the precise case which is going to be opened, for we cannot be prepared with all the figures to answer the arguments. I must correct one error into which the right hon. Gentleman has fallen. The right hon. Gentleman took the Probate Duty at £1,800,000 for the year 1888-9, and at £2,400,000 for the next year, showing an increase of £600,000. But the £1,800,000 was the share that fell to England alone, while the £2,400,000 is the total that falls to England, Scotland, and Ireland. The right hon. Gentleman will observe that I have the confirmation of the strong financial authority behind him (Mr. Buxton.) The original amount was £2,130,000, and the increase on that amount is £270,000, and not £600,000. There was, I think, an amount of £280,000 involved in the Van and Wheel Tax, and I wish to point out how we stand as regards the £800,000 promised. It may be said to be decreased by the additions to the Probate Duty of £270,000, but not by any larger amount. There remains a considerable sum of which the County Authorities have been disappointed by the withdrawal of the Van and Wheel Tax, and the right hon. Gentleman cannot, therefore, contend that, in the view of the Government, the account is closed. The right hon. Gentleman has repeated some remarks of mine on introducing the Budget, to the effect that the account was closed, but that was taking into view our proposals as a whole, including the Van and wheel Tax, as well as the arrangement relating to Licences and Probate Duty. Therefore, I could not consider the account as closed when the Van and Wheel Tax proposal failed. The right hon. Gentleman does not feel the necessity of increasing the funds at the disposal of the County Councils, and I think he bases his opposition to our proposal on two grounds; he dislikes any further contribution being made from Imperial funds to local purposes, and he dislikes the particular allocation proposed, because he thinks the counties gain more than the towns. This tendency of localising expenditure and the

raising of Revenue can be carried to a dangerous extent. If the locality which contributes most is to receive its exact proportion in grants, what will become of the poorer parts of the country? Successive Parliaments have felt the necessity of giving relief to the poorest districts; and though I dislike the principle of Imperial subvention, I do not think it fair that the poorest districts should be made to meet the whole of their expenditure out of the rates. Then the right hon. Gentleman urges that four-fifths of the rates are paid by the wealthier classes, and that they do not fall on town and country alike. But it must be remembered that in towns a man pays his rates upon the value of his house or shop, while the rural ratepayer, who lives on a farm, pays not only on his house, but on the property distributed all over the farm. The right hon. Gentleman says the rates in the counties are very light, but the rates levied by the County Authorities over a particular area by no means represent the rating weight which rests on the rural community. It is unfair to make the distinction the right hon. Gentleman has drawn between the Poor Rate proper and other local rates, and it tends to give the false impression that we are giving assistance to those who pay a rate of 1d. or 1½d. The county does not only include the agricultural ratepayers, a number of towns are within the area. It would carry me too far if I were to attempt to enter upon the dispute between the right hon. Gentleman and my right hon. Friend the President of the Local Government Board. As to the degree to which the big towns and the rural towns have respectively been assisted by the subventions, out of the total amount of £2,400,000 a half has gone direct to the Poor Rate. Though the Poor Rate proper may have diminished, the point is whether the aggregate rate has not increased. Rates have increased enormously, and they are felt much more heavily than before in rural districts, because of the long-continued agricultural depression. New rates have been imposed since the period to which the speech of Lord Beaconsfield, from which the right hon. Gentleman has quoted, referred, and whatever authority that statement may have carried then, I doubt whether it could be sustained at the

present moment. Rates have increased enormously since that time.

MR. H. H. FOWLER: Not in rural districts.

MR. GOSCHEN: Yes; they have increased 10 per cent. in rural districts. While the agricultural districts, from the long depression, have grown poorer, towns have grown richer. ["No!"] Well, somebody has grown richer, as I gather from Income Tax Returns. I would recommend hon. Gentlemen, as a statistical occupation, to study the interesting figures in relation to the Returns under Schedules A, B, and D. It will be seen that under A and B there has been a considerable decline, and there has been an enormous increase under D. Therefore, I assert there has been a large increase of wealth in towns as compared with rural districts. As to the exact proportion paid to the rates by the working classes, it is very difficult to arrive at any accurate conclusion, and I cannot accept the right hon. Gentleman's figures. I am bound to say that I consider some of Professor Lenoir Levi's interesting statistics are of a somewhat fantastical character. It is extremely difficult to arrive at an accurate conclusion, but I have neither the time nor the material to go into the interesting subject. To sum up what I wish to say—I do not think that, in these further grants to local purposes, the Government deserve the displeasure which the right hon. Gentleman shows at the whole of our plans. Some further relief is due to local burdens, and especially in regard to police superannuation—a question of supreme importance, which has not been grappled with before because of the insufficiency of financial resources.

(4.55.) MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I do not propose to follow my right hon. Friend or the Chancellor of the Exchequer into the question how far the new proposals affect the different classes of taxpayers. I think the Chancellor of the Exchequer, having showed that my hon. Friend had made a mistake in relation to the Probate Duty, might have spared the sneer at myself. The Chancellor of the Exchequer, upon his own figures, has shown conclusively that he is about to increase, by £300,000 or £400,000, the original proposal for local subventions. The original proposal of £840,000 has



been raised considerably by the increase in the Probate Duty, and yet there is this proposal for a further grant. I did not understand my right hon. Friend to say he would have the whole of the subventions withdrawn, but he did object to increasing the grants on the present system. The protest I particularly wish to emphasise is that upon which the Chancellor of the Exchequer himself dwelt with force in his Budget statement, namely, the system introduced two years ago, and now being extended, of mixing up local and Imperial finance in a manner that had never been followed previously. Three years ago the Chancellor of the Exchequer, I understand, was endeavouring to divide altogether local from Imperial finance, but since then they have become inextricably mixed up, and this year the confusion will become worse. We are handing over a large sum to Local Authorities in the form of Licence Duties, and to that, I think, there is no objection. These licences are collected locally and handed over, and to that there is no objection. The Chancellor of the Exchequer has handed over the Probate Duty, which is partly local and partly Imperial, and this year he proposes to hand over the Spirit and Beer Duties in the same way. In voting against this clause I may say I do so to express an emphatic objection to the system of mixing up local and Imperial finance. I will not discuss the matter on this occasion, but I hope on some future Budget the Chancellor of the Exchequer will see his way to prevent the confusion which has thus undoubtedly arisen by handing over to the Local Authorities the whole of some particular tax instead of handing over, as at present, small portions of particular taxes.

(5.4.) MR. H. H. FOWLER: I would further remind the Committee that the total amount of money now proposed to be given in local subventions out of Imperial funds, including the additions proposed this year by the Chancellor of the Exchequer, amount to no less than £9,500,000. The statement I made just now with regard to £200,000 was incorrect, but I fell into the error in the absence of figures, which I again ask for. I ask the First Lord of the Treasury to use his influence to obtain them, so that we may know exactly what is handed

*Mr. Sydney Buxton*

over to the Local Authorities. As far as I am concerned I can only take the statement which appeared in the *Times* the week before the Budget.

(5.8.) MR. GOSCHEN: As to the non-production of the figures I may point out that they will have to be got from the Local Authorities all over the kingdom, and it is difficult to collect figures going up to the middle of March by the middle of May.

Question, "That Clause 7, as amended, stand part of the Bill," put, and agreed to.

Bill reported; as amended, to be considered to-morrow.

#### MIDWIVES REGISTRATION BILL.

##### (NO. 29.) SECOND READING.

Order for Second Reading read.

(5.10.) MR. H. PEASE (York, N.R., Cleveland): I beg to move the Second Reading of this Bill, the importance of which hon. Members will at once see. It is extremely necessary that there should be a registration of these women who attend people of humble circumstances in child-birth. Probably five-sixths of the cases of child-birth in this country are attended by midwives. There should be some means of registering these women, just as other professions are registered. This Bill, I may say, has been submitted to various bodies, and from them we have had a large amount of help. They almost entirely approve of the clauses of the Bill, and, in fact, many of the provisions have been drawn up by the Medical Societies themselves. At this hour I do not wish to go into the history of the matter. There have been attempts at legislation in this direction from time immemorial, and there have been Memorials sent to this house at a very ancient date asking for the registration of midwives. It would be quite unnecessary now to follow that question up. I, therefore, simply desire to move that the Bill be read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. H. Pease.*)

(5.12.) SIR R. LETHBRIDGE (Kensington, N.): I rise to second the Motion for the Second Reading of this Bill, and I would point out to the hon.

Member who has given notice of an Amendment, that the measure is of the greatest importance to the labouring classes of the country. The richer classes are already provided for in the matter, and have thoroughly well qualified practitioners to attend to their wants. The poorer classes, however, have constantly to have recourse to the assistance of midwives, instead of calling in highly qualified medical men. The Bill is meant in no wise to depreciate the value we all attach to the services of the noblest profession the country possesses; we only desire to see some of the enlightenment which is at the service of the richer classes, placed at the disposal of the poorer classes. The wives of labouring men are dependent on the services of midwives. Possibly, I shall be told that medical practitioners ought always to be employed; that, however, is absolutely impossible. There are not sufficient medical practitioners in this country to enable every poor woman to avail herself of their assistance in time of need, and if there were, it is perfectly obvious that it would be out of their power to incur the expense of employing them. I, therefore, do appeal to the hon. Member to withdraw his opposition, and I appeal to the House to pass the Bill into law without delay.

(5.15.) DR. TANNER (Cork Co., Mid): I should certainly not have opposed the Bill if I had not received a great many complaints from medical men in various parts of the country. They say if the Bill passes into law, it will deprive many a medical man of the conduct of these cases of midwifery. They also point out that under the Bill a registered midwife will be able to conduct a case of "natural labour." How is a midwife to be certain that the case she may be called in to will be a case of natural labour? I see in the measure certain elements of danger to the community, as well as danger to the medical profession. The midwives may take it upon themselves to perform operations which will be attended with manifest danger. However, if I can receive any assurance from the promoters of the Bill, I shall be only too happy to let it pass.

(5.18.) SIR WALTER FOSTER (Derby, Ilkeston): This is a Bill, the object of which is to protect female life in certain cases. As to the competency

of women to manage these cases, there is ample evidence. Two French ladies are quoted as authorities in almost every book on the subject, and if French ladies can acquire the necessary skill for dealing with such cases, there is no reason why English ladies should not do the same. What we want is that the large proportion of the poorer classes who are attended by midwives should have competent and not incompetent midwives. I am constantly seeing cases in which the ignorance and incompetence of midwives proves dangerous to those on whom they attend. Only the other day I heard of a poor woman who was nursed by a midwife who went daily to attend upon a child suffering from a most infectious disease. It is through ignorant persons of this kind that such infectious disease is spread among lying-in women. The Bill would help to prevent this, and, therefore, I would urge the House to favourably consider it.

(5.20.) MR. T. M. HEALY: I am very glad indeed that this measure has been introduced, and the only fault I have to find with it is that it does not extend to Ireland. I do not know the reason unless it be in deference to the views of the Chief Secretary (Mr. A. J. Balfour), who said recently that Irishmen were responsible for the early marriages in that country.

(5.22.) MR. BRUNNER (Cheshire, Northwich): I consent to the Second Reading of this Bill with a good deal of reluctance. We are almost week by week extending the principle of regulating people's lives. There is a considerable list of professions which are now registered, and the Bills now before the House will, if adopted, largely extend that list. I object to this measure coming into force on the 1st of January next, as it seems to me that women who are now engaged in the profession of midwives should have longer notice to prepare themselves for the stringent examinations which are proposed. There is another point upon which I take exception to the Bill. It provides that every woman who is to be registered must have a good moral character. I object to that most strongly. I do not see that it is more necessary for a woman than for a man to have a good moral character, and until registration under the Medical Act

is refused to men who have not a good moral character, I shall insist that women shall be equally free.

(5.24.) SIR W. G. HUNTER (Hackney, Central): I have great pleasure in supporting this Bill. As to the date at which it would come into operation, I may point out that the midwives who are now practising without certificates can receive a certificate from a competent medical man, if they be of good character, and need not pass any examination.

(5.25.) MR. BRADLAUGH (Northampton): There are many Bills before the House affecting the liberty of the subject, and I really must rise to prevent the Second Reading of this Bill being agreed to to-day. Last year I had an unfortunate illustration of the evil of hurrying Bills through Parliament. When I was in peril of my life, if the medical man who was attending me had done his duty under the measure passed last Session, the disease from which I was suffering would have been notified, and I should have been liable to have been moved from my room. That might have been beneficial to the general public, but if it had been done I certainly should not have been here to-day to argue against this Bill. I cannot consent to the passing of a measure which provides that, instead of proving her medical capacity, a midwife shall produce a certificate of good moral character, signed by a Magistrate, or a clergyman, or some other minister of religion. This is the first time I have risen to speak at a period when I know that my opposition, if persisted in, must be fatal to a Bill for the Session, and I am excessively reluctant to do so to-day, but this measure is of such a character that I regard it as my duty to take this course.

MR. DIXON HARTLAND rose in his place, and claimed to move, "That the Question be now put;" but MR. SPEAKER withheld his assent, and declined then to put that Question.

Debate resumed.

MR. BRADLAUGH: I can only say that when, after a few minutes' discussion on a question of this kind, the Closure is moved it is a lesson for those who are

*Mr. Brunner*

not in the habit of occupying much of the time of the House. My opposition to this Bill is not an opposition in the nature of obstruction, but is in accordance with principles my advocacy of which has been eagerly applauded from the other side of the House.

It being half after Five of the clock, the Debate stood adjourned.

Debate to be resumed on Friday, 30th May.

#### FISHERIES REGULATION (SCOTLAND) BILL.—(No. 53.)

MR. MARJORIBANKS (Berwickshire): I would ask the Lord Advocate when the Government Bill will be introduced?

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): It is in course of preparation.

MR. MARJORIBANKS: When will it be introduced?

MR. J. P. B. ROBERTSON: I am unable to fix the date.

MR. T. M. HEALY: It is only fair to give notice that I shall object to a Scotch Fishery Bill in future unless it is made to apply to Ireland.

Second Reading deferred till Tuesday, 3rd June.

#### WORKING CLASSES DWELLINGS BILL.

(NO. 279.) SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

DR. TANNER: I object.

MR. T. M. HEALY: I hope my hon. Friend will withdraw his objection. The Bill applies to the erection of dwellings for the working classes in Dublin as well as in London.

DR. TANNER: It is not that I object to the Bill. I think if Irish Members desire to bring in Bills it is a great deal better that they should bring them in themselves than trust to a Tory Member.

MR. SEXTON: If Irish Members were alone to back their Bills, without the co-operation of Members of other Parties, their chance of passing them would not be so good. If the Bill is not

passed Dublin and other parts of Ireland will suffer.

DR. TANNER: I withdraw my objection.

Question put, and agreed to.

Bill committed for to-morrow.

#### TENANTS' COMPENSATION BILL.

(NO. 259.) SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. CHANNING (Northamptonshire, E.): I have not the least objection to the principle of this Bill, but my own Bill (the Agricultural Holdings Bill) covers exactly the same object as this. I should be very glad if the President of the Board of Agriculture could see his way to refer both Bills to a Select Committee.

THE PRESIDENT OF THE BOARD OF AGRICULTURE (MR. CHAPLIN, Lincolnshire, Sleaford): The Bill having been just circulated, I have really had no opportunity of giving it the attention which it deserves, and I cannot, therefore, undertake to grant the Committee asked for.

Second Reading deferred till Tuesday, 3rd June.

#### CUSTOMS CONSOLIDATION ACT (1876) AMENDMENT BILL.—(No. 247.)

Bill read a second time, and committed for to-morrow.

#### BUILDINGS (SANITARY REGISTRATION) BILL.—(No. 165.)

Order for Second Reading read, and discharged.

Bill withdrawn.

#### NEW LICENCES (IRELAND) BILL. (NO. 249.) COMMITTEE.

Order for Committee read.

MR. T. M. HEALY: I hope the Government will consider the Amendments to this Bill, which I am very

anxious we should have an opportunity of discussing. But it would be unfair not to allow the trade some opportunity of seeing the Bill before it is passed into law, and I will, therefore, put the Bill down for Wednesday, 11th June.

Committee deferred till Wednesday, 11th June.

#### PAUPER LUNATIC ASYLUMS (IRELAND) (OFFICERS' SUPERANNUATION) BILL.—(No. 140.)

Considered in Committee.

(In the Committee.)

Clause 3.

\*MR. JOHNSTON (Belfast, S.): I do not know whether the Government will accept the Amendment standing in the name of the hon. Member for West Belfast (Mr. Sexton), which will include the external officers.

MR. H. H. FOWLER: What is the connection of the Treasury with this Bill, and does it carry out in any way the recommendation of the Royal Commission?

MR. JACKSON: I understand there is no Treasury question.

MR. T. M. HEALY: It is purely a county question.

\*THE ATTORNEY GENERAL FOR IRELAND (MR. MADDEN, Dublin University): The Bill is intended to apply to the same persons as those included in the existing Act providing a certain amount of superannuation. It does not affect the Treasury. The superannuation is intended for those servants who have given their whole time.

MR. SEXTON: The salaries and superannuation which out-door officers receive ought to be relative to their salaries. I cannot for a moment consent to the Bill passing for the superannuation of the internal officers, and excluding the others. I beg to move that you report Progress, Sir.

\*MR. JOHNSTON: I have no objection to accepting the Amendment, so far as I am concerned.

MR. T. M. HEALY: I strongly support the hon. Member for West Belfast. These matters come out of the County Rate, which is paid not by the

landlord but by the tenants. Every penny of the pensions will come out of their pockets. This is a non-contentious matter, and I hope the Amendment will be accepted.

MR. MACARTNEY: This matter is not non-contentious, and it very nearly wrecked a similar Bill two years ago. I have received very strong objections to the Amendment from my constituents.

\*MR. JOHNSTON: I hope the Amendment will not be pressed. It is important that the Bill should be passed. The officials have been longingly looking for it during the last two or three years.

MR. CHANCE: I would point out that there is power on the Motion of the Attorney General, through the Lord Lieutenant, to extend the pension list.

THE CHAIRMAN: This discussion is wholly irregular. The former Amendment to which we agreed struck out certain words, so that it is impossible to add these words.

MR. SEXTON: I think we had better not go further.

Objection being taken to further proceeding, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again to-morrow.

## QUESTIONS.

### BUSINESS OF THE HOUSE.

MR. J. MORLEY: I wish to ask the First Lord of the Treasury whether he will be kind enough to tell us what the order of business is to-morrow and Friday?

\*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I cannot say what the order of business will be on Friday until to-morrow, and we see what progress we have made. We propose to take the Report of the Customs and Inland Revenue Bill first to-morrow, then the Vote on Account, and, if there is time, the Report stage of the Pleuro-Pneumonia Bill.

SIR W. LAWSON: Perhaps the Government will also tell us whether it is their intention to adjourn for Derby Day, because I understand that a very important Bill—the Channel Tunnel Bill—has been put down for that day, and with the sanction of the Government?

*Mr. T. M. Healy*

\*MR. W. H. SMITH: I do not know whether the Government can adjourn on Derby Day. All I can say is, that I never adjourn on Derby Day. I am usually very hard at work on that day. Whether the House will adjourn on Derby Day remains for the House to decide.

MR. MCARTHUR (Leicester): Will the right hon. Gentleman say whether the Western Australia Bill will be taken on Friday?

\*MR. W. H. SMITH: It depends upon whether the Report of the Select Committee has been circulated.

MR. J. MORLEY: I understood distinctly that the right hon. Gentleman would not take it on Friday.

\*MR. W. H. SMITH: I think it would be unfair to take it on Friday. Hardly sufficient notice could be given.

MR. CONYBEARE: Can the right hon. Gentleman make any further statement about the holidays?

\*MR. W. H. SMITH: I stated I should mention the holidays to-morrow.

## MOTIONS.

### SUPERANNUATION (WAR DEPARTMENT) BILL.

On motion of Mr. Jackson, Bill to amend the Law relating to the grant of Superannuation allowances and gratuities to certain workmen in the Manufacturing and Store Establishments of the War Department, ordered to be brought in by Mr. Jackson, Mr. Chancellor of the Exchequer, and Mr. Stanhope.

Bill presented, and read first time [Bill 297.]

### ALDERSHOT ROADS BILL.

On motion of Mr. Brodrick, Bill to make better provision for the safety of the public when the lands in or near Aldershot, vested in the Secretary of State for the War Department, are used for Rifle Ranges or other Military purposes, ordered to be brought in by Mr. Brodrick and Mr. Secretary Stanhope.

Bill presented, and read first time [Bill 298.]

### RULES PUBLICATION BILL.

On motion of Mr. Henry H. Fowler, Bill to improve the Procedure for making Rules of Court and other Rules, ordered to be brought in by Mr. Henry H. Fowler, Sir Albert Rollit, Mr. Cozens-Hardy, and Mr. Bruce.

Bill presented, and read first time [Bill 299.]

House adjourned at five minutes before Six o'clock.

## HOUSE OF LORDS,

*Thursday, 22nd May, 1890.*REPRESENTATIVE PEER FOR  
IRELAND.

Lord Carbery—Petition of William Charles Baron Carbery in the Peerage of Ireland, claiming a right to vote at the elections of Representative Peers for Ireland; read, and referred to the Lord Chancellor to consider and report thereupon to the House.

## ROYAL ASSENT—COMMISSION.

The following Bill received the Royal Assent:—

Commissioners for Oaths Act (1889)  
Amendment.

EDUCATION OF BLIND AND DEAF MUTE  
CHILDREN BILL.

A Bill to amend the law in regard to the education of blind and deaf-mute children in Scotland was presented by the Lord Ker (*M. Lothian*); read 1<sup>st</sup>; and to be printed. (No. 101.)

PRIVATE BILL PROCEDURE (SCOT-  
LAND) BILL.

THE EARL OF ROSEBURY: My Lords, I desire to ask the Secretary for Scotland whether he can give any information as to the progress of this Bill? It is regarded with great interest in Scotland, and the only news we have of it is that the Lord Advocate in the other House promised that the Second Reading should be taken before Whitsuntide. I am aware, of course, that there is a clog of business in the other House, but I hope my noble Friend will be able to give your Lordships favourable tidings with regard to the Bill.

\*THE SECRETARY FOR SCOTLAND (The Marquess of LOTHIAN): My noble Friend has kindly given me private notice of the question he has asked in regard to this Bill. I am almost tempted to answer my noble Friend's question in what is supposed to be Scottish fashion by putting another question in reply. I should be inclined to ask my noble Friend whether, from his great influence, he could give any information as to the progress likely to be made with Government measures in

the other House? I have no doubt, however, from the statement which was made by an eminent statesman in East Anglia the other day as to the almost entire absence of obstruction in the other House, that the Second Reading of this Bill will be taken in that House as set down on June 2. With regard to the assurance of the Lord Advocate, it was the intention of the Government to take the Second Reading before Whitsuntide if possible; but in consequence of that which my noble Friend is pleased to call the clog of business in the other House it is now impossible to do so. It is the intention of the Government that the Bill should come on at the earliest possible time, and I hope to be able soon to introduce it in your Lordships' House.

## REFORMATORY SCHOOLS BILL.

(No. 96.)

## JUVENILE OFFENDERS BILL

*now*

## YOUTHFUL OFFENDERS BILL.

(No. 96.)

House in Committee (on Re-commitment) (according to order).

\*LORD NORTON: My Lords, I will only say a few words upon this Bill. I do not intend to trouble your Lordships by moving any Amendment at this stage, but I will attempt to carry the Amendments I lost in the Standing Committee on the Third Reading. They are three in number, and they are intended, first, to prevent a child convicted of an ordinary, not for a grave, offence from being sent, during the interval between his conviction and his reception in the reformatory to a common gaol. My second object is that there should be places provided to which such children, if sentenced to imprisonment, could be sent, not being a common gaol, but to places for the purpose under Government control, in connection with a few principal reformatories, where the child might pass his sentence, not exceeding three weeks, or in worse cases for longer periods of imprisonment, before being sent to the reformatory school. My third object is that the education of such children after punishment should not be in schools of a penal character retaining the stigma of criminality during the whole of the child's education, and keeping up in the

child's mind a sense of criminality which is not only cruel and unjust, but absolutely foolish and obstructive of the object of his being sent to school at all. The fact of there being provisions for child imprisonment in common gaols, and penal education in an amending Bill on the subject, I think, shows to what a small extent the idea on which those institutions have been founded has yet been generally accepted. Both the Commissioners' Report and the answers to Circulars which have been sent round to all the Petty Sessions in the Kingdom are against children of that description being, except in aggravated cases, sent to common gaols, and prove a growing opinion that ordinary child convicts should not be treated as adults. I venture to speak on this matter, for I have had very considerable acquaintance during nearly 50 years with the legislation and the working of these institutions, and with the sort of children who come to them.

\*THE SECRETARY OF STATE FOR INDIA (Viscount Cross): It would be only respectful to the noble Lord who has just spoken that I should say I know no one who has paid more attention to the subject than he has done, or who has had more practical experience with the working of these schools. With the greatest sympathy, however, for the objects he has in view, I am afraid that I shall have to show reasons on the Third Reading why the Government cannot accept the propositions he has mentioned.

EARL BEAUCHAMP: My Lords, I only desire to say a few words upon the Report being received. I wish to express my great regret that, in consequence of the adoption of the system of Standing Committees, the public are quite unaware of the great pains which your Lordships have bestowed upon this and other kindred Bills. I have not been able myself to take part in the discussion upon them; but I think no one who has attended in those Standing Committees can doubt the minute criticism and care bestowed upon the Bills before them. Valuable, however, as the criticism is which is given in the Standing Committees, I think it would be still more valuable if it could be given in this House, where the Debates would be reported. The public would then have

some knowledge of the pains and time which your Lordships have bestowed on these Bills. I make this protest, because I hope the time will come, before long, when the House will see how much it has lost by the system of Standing Committees, and how much it has thrown away by delegating to hole-and-corner meetings of Committees upstairs deliberations which ought to take place in the face of day.

LORD HERSCHELL: I do not see any reason for regretting the change which has been made. The misfortune in former times was that discussion did not take place in the House, and the work which is done by these Committees was not done at all. No doubt if the House were to deal with Bills in the same careful way as the Committees deal with them perhaps the same result might happen; but, unhappily, that has not been done. I do not think anybody can doubt that Bills are now carefully revised in a manner which they never were before.

\*LORD BRABOURNE: As I was the first to raise the standard of revolt against these Standing Committees I am glad to see that the feeling against them is becoming more widely extended than it was formerly. If it be a good thing that the Standing Committees should continue, I think it is desirable that a rather better record should be made of their proceedings than at present. Some of those proceedings are of great importance. For instance, we were debating the other day upon a question of principle. I was in a considerable minority, and when such is the case I always look forward to the time when that minority will become a majority; but, unfortunately, the record of the proceedings did not give the slightest clue as to what it was that the Committee voted upon. I can only say that the effect of these Standing Committees has, it appears to me, been exactly what I expected upon their being founded. I do not believe that Bills receive a more searching criticism in the Standing Committees than they used to receive in this House before the change was made. On the other hand, it is a change which debars a large number of Peers from taking part in the discussion of business which they are interested in, a change which entails that business being conducted with a certain

*Lord Norton*

amount of secrecy, and which, to my mind, has only the effect of spoiling the deliberations in your Lordships' House afterwards; because Peers apparently do not care afterwards to attend in the House and again debate upon the Bills.

\***THE EARL OF HARROWBY**: I quite agree with what my noble Friends near me have said. These Standing Committees now sit at half-past 3 o'clock, and if these large Committees can sit at that early hour, there is no reason why the House itself should not be summoned at that hour on occasions when there were heavy Bills to go through in Committee, and thus transact in public the work lately delegated to the Standing Committees—the work of which is now practically unrecorded. I have heard in former times most valuable discussions in Committee of the whole House, and these having been formerly recorded by the daily Press, often most valuable communications and suggestions from persons of experience outside were received, which enabled the House, by being thus brought into relations with persons of knowledge and experience regarding the questions in hand, to introduce useful Amendments at later stages—while the public were aware, from the newspaper reports of our discussions, of the reasons for Amendments made by your Lordships. I think the loss is very great, not only to the Public Service, but to the credit of the House, from doing in secret this very useful business of Committee. It has the effect of entirely precluding the public from being aware of what we are doing. I can only hope, in common with a large number of your Lordships who attend these Committees, that the matter may be re-considered hereafter.

\***VISCOUNT MIDLETON**: My Lords, I entirely concur with what has fallen from my noble Friends. I do think it a very serious matter that the whole of these discussions should be withdrawn from the Committees of the whole House. I think one of the evil results which has not been pointed out by my noble Friends is that the public in general, being unaware of the time which is spent in discussing Bills in these Committees, is under the impression that when the House meets on Tuesdays at half-past 5 o'clock and adjourns, perhaps, at 20 minutes to 6,

that is all the work the House has done during the day. They are necessarily unaware, because no Reports are published in the Press, of the fact that an hour and a half or a couple of hours has been devoted previously to the discussion of the very measures which make so little show in the Press reports of the Sittings of the House. It is most important that the feeling should not get abroad that this House is not giving the same full discussion to the matters which come before these Committees as the public have been accustomed to see transacted in public, when there are regular Reports given of the proceedings. I do not wish for a moment to detract from the great zeal and assiduity with which my noble Friends review the subjects which come before the Grand Committees; but those are facts of which the public is wholly unaware, and I think it does not reflect credit upon the proceedings of the House that so much of its business should be transacted behind the scenes. I observe, also, that very few notices of Motions or Questions are ever put down on Tuesdays as on account of the House meeting so late; whatever attendance there may have been before the Grand Committees, there is always a very thin attendance of Peers in the House.

**THE LORD PRIVY SEAL (Earl CADOGAN)**: My Lords, I do not wish to express any opinion as to whether these Committees have been found to be successful in their operation or not; but they have been found fault with for two reasons: In the first place, it is said that the subjects which are taken into consideration by them are withdrawn from the cognisance of the House. I wish to remind the House that it is entirely in the power of the House to prevent such a withdrawal, and to determine whether a Bill should be sent to a Standing Committee or not upon notice given. After a Bill has been read a second time, a Motion is made by the noble Lord in charge of the Bill to refer it to a Standing Committee, and it is for the House itself to give its assent to the Motion or to refuse it. Upon the Motion to refer the Bill to either the Committee on Law or the Committee for General Purposes, it is quite within the power of the House to decline to accede to it, and in that case the Bill



would go before the Committee of the whole House. That evil, therefore, if it be one, may be remedied by the action of the House itself. As to the other fault found, namely, the want of publicity, of which complaint has been made, I can only say that on the first meeting of the Standing Committee the reporters asked leave to be present at the Sittings and to be allowed to report the proceedings; permission was given; but though the report was made on that occasion, we saw no more of the reporters. It is, of course, impossible for the House to ensure publication in the daily newspapers of an adequate report if the editors do not choose to publish it. I am afraid I see no remedy for that. But I think it would be better if greater discrimination were used as to the Bills which are referred to the Standing Committees and those which are left for consideration by the Committee of the whole House.

THE DUKE OF RICHMOND: My Lords, I quite agree with what has fallen from my noble Friends, and having been always opposed to the system of Grand Committees, I may, perhaps, be allowed to say a few words. With regard to the first objection by my noble Friend the Lord Privy Seal, that it is quite competent for the House when the Motion is made to refer a Bill to one of the Grand Committees to say that it shall be referred to a Committee of the whole House, I would appeal to my noble Friend himself, and ask him whether there would be the smallest chance in 99 cases out of 100 of that course being taken? In fact, the Grand Committees have been established for the purpose of having all the Bills possible taken before them.

EARL CADOGAN: No.

THE DUKE OF RICHMOND: Well, the greater part of the Bills introduced. I think he would be a bold man who would attempt to take from the cognisance of the Grand Committees the Bills which are proposed to be sent there. That is all I wish to say, but feeling very strongly that the system is a bad one, I did not like to let the matter pass without comment on my part.

THE EARL OF KIMBERLEY: Perhaps the noble Marquess will allow me to say a word upon this matter before he replies.

*Earl Cadogan*

Having attended the Committees regularly, I should like to point out that there are two sides to this question. Undoubtedly we have to balance between two evils, or two advantages, whichever you like to call them. On the one hand, there cannot be a doubt that the public get an impression that we are doing nothing because we no longer go through Bills in full Committee when the Debates would obtain publicity. But the deliberations of the House in Committee upon Bills was not generally of a serious character. The Bills went through with very little discussion, and of that even very little appeared in the newspapers. At the present time I do not think it can be denied by anyone who has attended these Committees that the Bills which come before them do receive a more severe and complete examination, and there are several reasons why it should be so. One reason is, that the proceedings are somewhat less formal, and Members of your Lordships' House will get up and make most useful suggestions and observations, who might not make speeches in the House. Again, discussion is facilitated and time saved. I quite agree that the system is on its trial. But I would put this to my noble Friends who take an interest in this matter, that there are two things which are quite distinct—one is to do business, and the other to seem to be doing business. I think we are doing business at the present time. I quite admit that we do not seem to be doing as much business as we are. It will be for the House to determine whether the advantages from the revision of Bills which come before us in Grand Committee are not sufficient to outweigh any disadvantages which the House may suffer from the public, owing to the change in our arrangements, being unaware of the work done. It is not quite true that there is no report made of the proceedings. On two occasions recently, when important discussions took place in Committee—my noble Friend opposite probably had not observed them—there were short reports of the proceedings given in the newspapers.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, I only want to point out that nothing has been really withdrawn from

the cognisance of the House, and that there has been no abbreviation of the proceedings of the House. I understand that certain of my noble Friends are panting to discuss in Committee these Industrial Schools and Reformatory Bills. But why do not they do it? These Bills have all passed through Committee of the whole House. It was then open to my noble Friends to go through them with all the minuteness of detail which, we understand, was the practice in former times. But they never opened their lips. Was it that they were exhausted with what they had done in Standing Committee, or that they found it was impossible for them to repeat here the arguments used there? There was no reason whatever why the full discussion, which we are told used in past years always to take place in Committee of the whole House, should not have taken place in all its former amplitude of detail. The matter lies entirely in the hands of noble Lords themselves, and depends upon their appreciation of the importance of a measure. But I entirely agree with the noble Lords opposite that there was no discussion on Bills of this class in Committee in former years. Bills of adequate importance were no doubt discussed in Committee, but Bills of a less important character were not discussed in Committee at all. I have gone carefully through the record in *Hansard* of similar Bills which have been passed in previous years, and have carefully examined that record to see what discussion they received in Committee of the whole House, and I find that before the Standing Committees were appointed Bills of the less important class received very little examination in Committee. What the cause is, why Bills which are so carefully examined in Committee are so perfunctorily discussed in the House, I do not know. There seems to be something in the atmosphere of this House or in its traditions which makes noble Lords unwilling to open their mouths within its walls; but I appeal to the experience of those who have sat constantly through the Debates in this House in former years as to whether our mode of dealing with the committal of Bills in former times was distinguished by that thorough discussion on details the opportunity for which it is now complained has been withdrawn.

Bills reported without further amendment, and to be read 3<sup>a</sup> on Thursday, the 12th of June next.

**SUCK RIVER DRAINAGE (PROVISION OF FUNDS) BILL.—(No. 92.)**

House in Committee (according to order); Bill reported without amendment; and to be read 3<sup>a</sup> on Monday, the 9th of June next.

**MERCHANT SHIPPING ACTS AMENDMENT BILL.—(No. 57.)**

Read 3<sup>a</sup> (according to order), with the amendments; Amendments made; Bill passed, and returned to the Commons; and to be printed as amended. (No. 103.)

**ADJOURNMENT.**

Moved, "That the House do adjourn to Thursday, 5th June."—(*The Marquess of Salisbury.*)

**EARL BEAUCHAMP:** On the Motion for the Adjournment I will take the opportunity of suggesting, with regard to the minute examination of Bills, that if the noble and learned Lord Herschell and the noble Lord who sits near him would bring to bear in this House that minute and valuable criticism which they bring to bear in Committees upstairs we should all benefit very much. I really must say that I think the noble and learned Lord opposite is alike the sole cause and vindication of the system of Standing Committees upstairs.

**\*LORD BRABOURNE:** I wish to call the noble Marquess's attention to one fact. He states that nothing has been withdrawn from the consideration of the House by referring Bills to a Grand Committee. I cannot agree in that. Take, for instance, the General Standing Committee. I am not a Member of that Committee, but I am a Member of the Committee on Law. I was told that if I applied I could be nominated on both Committees. On inquiry I found that the number of Peers which could be added to the other Committee was limited, and when I asked to be put on it I found it was not possible to be done. Only certain noble Lords are Members of that Committee, and the power of discussing such Bills as go before it is practically taken away from

those noble Lords who are not Members of that Committee. It is not in human nature to get up in this House and recommence a discussion upon a Bill which one knows has already been fully discussed upstairs.

THE MARQUESS OF SALISBURY: I would only reply to what my noble Friend has said that that limitation of Members appears to be an error which I think it might be very desirable to correct. I think any such result as he has related was certainly not contemplated and ought not to have taken place. There should be no difficulty in adding to a Grand Committee any noble Lord who desires to be a Member of it. But I cannot admit that it is not in human nature to discuss again in this House a Bill which has been already discussed upstairs in Committee. There are 670 specimens of human nature legislating a little further down the House, and I believe those 670 specimens of human nature find no difficulty in discussing, and discussing at considerable length, Bills which have previously been dealt with upstairs.

On Question agreed to.

House adjourned at five minutes before  
Five o'clock, to Thursday, the 5th  
of June next, a quarter past  
Four o'clock.

## HOUSE OF COMMONS,

*Thursday, 22nd May, 1890.*

### QUESTIONS.

#### THE EXTENSION OF THE MALL.

MR. WHITMORE (Chelsea): I beg to ask the First Commissioner of Works when the extension of the Mall of to Charing Cross, as designed on the plans for the new Admiralty buildings, will be proceeded with?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, University of Dublin): The extension of the Mall to Charing Cross will be proceeded with as soon as the new Admiralty buildings are ready to receive the officials, who now occupy houses which will have to be pulled down in order to continue the line of the Mall.

*Lord Brabourne*

#### THE BURIAL SERVICE IN WALES.

MR. OSBORNE MORGAN (Denbighshire, E.): I beg to ask the Secretary of State for the Home Department whether he has seen a statement contained in *Truth* of May the 15th, to the effect that the Rev. Thomas Ellis, Rector of Gyffin, near Conway, objected to the burial of a deceased person in the churchyard, in which his wife was interred, unless he were allowed to perform the burial service, the deceased being a non-parishioner; that the rector endeavoured to conduct the service which he desired, while a Dissenting Minister was conducting that which the relatives desired; and that the grave was filled up without either service being completed; whether the contention of the Rector of Gyffin that the law as it now stands authorises a clergyman of the Church of England to act as he did is well founded; and whether, if that is the case, the Government will give facilities for the passing of a measure which will effectually prevent the recurrence of such a scene?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the rector that he objected to the burial on the ground that the deceased was not a parishioner and that the churchyard was not too large for the requirements of the parish. He subsequently gave permission and was distinctly authorised by the relatives of the deceased to conduct the funeral. He received no notice of burial such as the Act of 1880 requires when the relatives wish to dispense with the Church service. He was therefore justified in assuming that he was to conduct the service, and is in no way answerable for the subsequent proceedings, which are much to be regretted, and which might have been avoided if the existing law had been duly observed.

#### THE LIQUOR TRAFFIC IN AUSTRALIA AND NEW ZEALAND.

MR. LENG (Dundee): I beg to ask the Under Secretary of State for the Colonies whether he will procure from the several colonies in Australia and New Zealand Reports on the various methods of regulating the liquor traffic in those colonies

similar to the Foreign Office Reports Nos. 78 and 154 on Liquor Traffic Legislation in the United States?

**THE UNDER SECRETARY OF STATE FOR THE COLONIES** (Baron H. DE WORMS, Liverpool, East Toxteth): The Secretary of State called for this information in August last from Canada, the Australian Colonies, and New Zealand, and reminded the Colonial Governments last March. So far, Queensland is the only colony from which a reply has been received.

#### SUBALTERN OFFICERS OF THE DRAGOON GUARDS.

**MR. JENNINGS** (Stockport): I beg to ask the Secretary of State for War whether it is the fact that three subaltern officers of the 2nd Dragoon Guards were rejected in their A and B examination, at Rawul Pindi, in November last, although the Board and President agreed that they were well qualified to pass, and exceptionally fitted for their work; whether their rejection arose from the fact that the President refused to sign a clause certifying that the candidates were qualified to command a regiment in the field, it being his opinion that no subaltern officer, however able and industrious, could possibly be so qualified; and why the President of an Examining Board is required to sign such a clause, seeing that no subaltern officer can be expected to comply with its conditions?

**\*THE SECRETARY OF STATE FOR WAR** (Mr. E. STANHOPE, Lincolnshire, Horncastle): All the examinations, both at home and abroad, are intended to be under the rules laid down in the Queen's Regulations, and they do not require that a subaltern officer should be qualified to command a regiment in the field. No Report has been received from India on the subject, but I will make inquiry about it.

#### CONSTRUCTION OF INDIAN RAIL- WAYS.

**MR. LAWRENCE** (Liverpool, Abercromby): I beg to ask the Under Secretary of State for India whether any new policy regarding the raising of funds for the construction of Indian railways has been brought before the Government of India by the Secretary of State; and whether he will lay upon the Table any correspondence connected therewith?

**SIR ROPER LETHBRIDGE** (Kensington, N.): Before the right hon. Gentleman answers that question I should like to ask him another arising out of it, of which I have given him private notice, namely, whether he is aware that representations have been made to the Government of India by local Chambers of Commerce and other Representative Bodies, strongly urging the paramount importance, in the interests alike of the native population and of the English merchants, manufacturers, and workmen, of the opening up of the country by the extension of railway communication, and that the desire of these Bodies is for that policy, whether new or old, which will most rapidly and effectually attain that end?

**THE UNDER SECRETARY OF STATE FOR INDIA** (Sir J. GORST, Chatham): In reply to the question of the hon. Member which appears upon the Paper I can only say that communications as to the policy regarding the raising of funds for the construction of Indian Railways have passed between the Secretary of State and the Government of India, but the correspondence is not yet complete; and, therefore, I cannot make any statement on the subject. With regard to the question of my hon. Friend the Member for North Kensington (Sir R. Lethbridge), I can only state that the Secretary of State is aware that representations of the character mentioned have been made, and that he will adhere to the policy so often advocated of promoting the extension of Indian Railways as fast as the circumstances will permit.

#### THE INDIAN CIVIL SERVICE—AGE OF CANDIDATES.

**SIR HENRY ROSCOE** (Manchester, S.): I beg to ask the Under Secretary of State for India whether he is aware that, in consequence of the regulations which will presently come into action in regard to the limits of age for candidates for the higher branch of the Indian Civil Service, there have been strong expressions of opinion in the scientific Press and at the Universities that the conditions of the examinations for this Service ought no longer to continue to be relatively so unfavourable to candidates whose studies have been chiefly in science as has hitherto been the case; whether he is aware that a Memorial,

signed by 50 distinguished graduates of the University of Cambridge, including several heads of houses, many professors, and a large number of fellows of colleges, has been presented to the Civil Service Commissioners, in which it is pointed out that the position of the science tripos in their University is now practically on an equal footing with the classical or the mathematical tripos, both from its numbers and from the awards assigned by the colleges to those of their members who distinguish themselves therein; and whether he will endeavour to secure that changes shall be made for admission to the Indian Civil Service such as shall secure more equal prospects of success for those whose chief studies have been in science than are at present accorded in these competitions?

**SIR J. GORST:** I have to thank the hon. Member for postponing this question the other day. The answer to paragraph 1 and 2 of the question is in the affirmative. Such opinions have been expressed, and such a Memorial addressed to the Civil Service Commissioners, although not to the Secretary of State. The answer to the third paragraph is that the new regulations will shortly be issued, and the Secretary of State believes they will satisfy the object which the hon. Member desires.

#### THE SALT REVENUE IN ORISSA.

**MR. JOHNSTON (Belfast, S.):** I beg to ask the Under Secretary of State for India if he can explain why the control of the Salt Revenue in Orissa has been made over to the Government of Madras, which differs in essential points from that of Bengal, which rules in Orissa; whether he is aware that although the manufacture of salt in Orissa was till recent years one of the staple industries of the districts of Cuttack and Balasore, the possession of salt earth, its manufacture or use has been made a criminal offence in those districts, even though the people wishing to use or manufacture it are willing to pay the duty; and whether, in view of the fact that this prohibition has thrown some 20,000 persons out of employment, and left large tracts of land teeming with salt earth utterly valueless, and that the price of salt has since the introduction of the Madras system increased in Orissa, the whole of

*Sir Henry Roscoe*

what is used being now imported from Liverpool and elsewhere, he will consider the advisability of re-introducing the system under which the salt industry flourished in Orissa, and again allowing the manufacture of Punga salt, subject to the usual duties?

**SIR J. GORST:** The hon. Gentleman is under a misapprehension as to the first paragraph of the question. The control of the Salt Revenue in Orissa has not been made over to the Government of Madras—only the administration. The control continues under the Government of Bengal. The manufacture of salt from salt earth has been prohibited, because it cannot be carried on without a great amount of smuggling. It is expected that the introduction of the Madras system will make salt cheaper and more plentiful, as it has done in Madras; and until the new system has been fully tried the Government will not revert to the old one.

#### MATMAKING IN PRISONS.

**MR. QUILTER (Suffolk, Sudbury):** I beg to ask the Under Secretary of State for the Home Department in how many prisons in England and Wales is the labour of prisoners let out to tender for matmaking, and will he state the names of the prisons and of the firms who hire such labour?

**THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam):** I am informed by the Prison Commissioners that there are 23 prisons in which the mats made are sold at a contract price to the person who furnishes the material and carriage. The list is too long to read in reply to a question, but I will show it to the hon. Member if he will confer with me. With regard to the rest of the question, I must refer the hon. Member to the answer which was given on the 24th of February last.

**MR. QUILTER:** Arising out of the answer, may I ask the hon. Gentleman if it is not the fact that there is one firm (Messrs. Goodacre & Co.) who contract for the labour of six of Her Majesty's Prisons?

**MR. STUART WORTLEY:** I think the hon. Member had better give me notice of that question.

### THE ORDNANCE SURVEY.

MR. A. O'CONNOR (Donegal, E.): I beg to ask the President of the Board of Agriculture whether he will consent to furnish a Return showing the various grades of Civil *employés* under the Ordnance Survey, with the number in each grade, the rate or rates of pay as at present allowed, and the terms or conditions and periods of increase of pay in each grade?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): There are no grades of Civil *employés* on the Ordnance Survey. The men are engaged on day wages and employed upon a variety of duties in much the same manner as the men employed in the Arsenal and other Government factories. The *employés* are observers, surveyors, clerks, draughtsmen, photographers, engravers, smiths, carpenters, bookbinders, type and lithographic printers, colourists, and others, who could not well be graded. As there are no grades, it is not possible to give the number in each grade, the rate or rates of pay at present allowed, and the terms or conditions and periods of increase of pay in each grade. A Return could be prepared showing the numbers employed on each of the several duties of the Survey, with their present rates of pay, and the maximum rate for highly-skilled labour in each of those duties. It would, however, involve much clerical labour, and I doubt if it would be of much practical value.

MR. A. O'CONNOR: Can the right hon. Gentleman lay on the Table a statement showing the different ranks or classes of the men employed under the Ordnance Survey, whether the employment is permanent or temporary, and the rates of pay?

MR. CHAPLIN: I will consider the question.

### THE SWEATING SYSTEM IN MANCHESTER.

MR. BROADHURST (Nottingham, W.): I beg to ask the First Commissioner of Works whether it is true that a builder, who had a Government contract for building repairs in Manchester, is an absconding bankrupt, and had been paying a lower rate of wages to the workmen engaged than was customary

in Manchester; and what steps are taken to ascertain the respectability of firms before giving them contracts?

MR. PLUNKET: It is true that the builder, who held the contract for the Board's ordinary works and repairs in Manchester, has become a bankrupt and is understood to have absconded. The rates of wages paid by him to his workmen did not come under the cognisance of the Board. No representation on the subject was ever made to the Board by the men. Full inquiries are made locally by the Board's officers as to the position of firms before any tender is accepted. In this case such inquiries were made two years ago, and the result appeared at the time satisfactory.

\*MR. C. GRAHAM (Lanark, N.W.): Am I to infer that the Government allow their contractors to occupy the position of sweaters?

MR. PLUNKET: I do not think the hon. Gentleman has a right to infer anything of the kind.

\*MR. C. GRAHAM: Did I not understand the right hon. Gentleman to say that no inquiry is made as to the rate of wages, but only as to the respectability of the firm?

MR. PLUNKET: The contractor sends in a tender for certain work as a whole.

\*MR. C. GRAHAM: Is the tender the sole thing looked to, and not the position of the men who do the work for the Government?

MR. PLUNKET: The whole question of contracts has been referred to a Departmental Committee.

\*MR. C. GRAHAM: When are we likely to have the Report of the Committee?

MR. PLUNKET: I cannot say exactly.

### THE PONTEFRACT HIGHWAY BOARD.

MR. AUSTIN (York, W.R., Osgoldcross): I beg to ask the President of the Local Government Board if his attention has been called to a recent election of Way-Wardens to the Pontefract Highway Board, when two ratepayers were duly elected for the Ackworth district; whether it is true, as stated, that they can lawfully sit, but are not entitled to exercise voting power; and whether he will take steps to rectify this anomaly in the constitution of these Boards by a Bill to abolish any property qualification that may exist?

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I have no information as to the facts with regard to the election of Way-Wardens in the case of the highway district to which reference is made in the question. I communicated with the clerk to the Highway Board when notice of the question was given, but have not as yet received any reply. I infer from the question that the two ratepayers alluded to were not qualified for election, as required by the Statute. Any person living in the parish, or any adjoining parish, and having an estate in houses or lands within the parish, in his own right, or in right of his wife, of the annual value of £10, or a personal estate of the value of £100, or being the occupying tenant of houses or lands of the annual value of £20, whether resident within the parish or in any adjoining parish, is eligible for election. I cannot hold out any expectation that the Government will be able to introduce a Bill during the present Session dealing with the property qualification in these cases.

#### THE SUGAR DUTIES.

COLONEL HILL (Bristol, S.): I beg to ask the Under Secretary of State for Foreign Affairs whether the attention of Her Majesty's Government has been called to the fact that, in view of the proposed abolition of the duties in the United States on sugar below No. 16, Dutch standard, considerable opposition on the part of the sugar refiners of that country has arisen, because the intended protective duty of nearly £2 per ton against refined sugar imported from abroad would probably be insufficient to allow the American refiners to compete on equal terms with such imported refined sugar from European countries where State bounties are granted; and whether, under the circumstances, Her Majesty's Government would again invite the Government of the United States to join the Sugar Convention?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FER-GUSSON, Manchester, N.E.): No Reports relative to this alleged opposition have been received at the Foreign Office. It is not by any means certain in what

shape the provisions of the Tariff Bill now under discussion will finally be settled by Congress. We have no ground for thinking that a renewed invitation to the United States Government to join in a Convention on this subject would be successful.

#### THE IMMIGRATION COMMITTEE.

MR. O. V. MORGAN (Battersea): I beg to ask the Secretary of State for the Home Department what steps have been taken to carry out the recommendations of the Immigration Committee of 1889; and what measures have been taken to ensure the Return by the masters of incoming vessels of the number of aliens on board, as provided by the Act 6 Will. 4, c. 11, s. 2?

MR. MATTHEWS: The hon. Member is aware that a somewhat similar question was answered on the 16th inst. by my right hon. Friend the President of the Board of Trade, who explained what steps were being taken to procure statistical information at the ports, both at home and abroad, under the powers given by the Alien Act. The Commissioners of Her Majesty's Customs have given instructions to their officers at all ports where alien steerage and deck passengers are likely to arrive to require from the masters of vessels declarations of aliens, as provided by the Act. The officers of Customs have also been instructed to send monthly to the Board of Trade a Return of the number of aliens arriving here, as shown by the Ships' Reports. The Foreign Office has also been requested to instruct Her Majesty's Consuls resident on the Continent to report any information they may obtain as to the emigration of destitute persons to the United Kingdom.

\*MR. BRADLAUGH (Northampton): Do they send in Reports?

MR. MATTHEWS: Yes; I believe they do.

\*MR. BRADLAUGH: Is the right hon. Gentleman aware whether any steps are being taken to enforce the other provisions of the Alien Act in reference to steerage and deck passengers?

MR. MATTHEWS: No, Sir.

\*MR. BRADLAUGH: Why do the Government enforce one part of the Statute, and dispense with the rest?

MR. MATTHEWS: There is no dispensation that I am aware of. The information which the House and the public desire is being collected.

#### MINING RIGHTS IN SOUTH AFRICA.

MR. WEBB (Waterford, W): I beg to ask the Under Secretary of State for the Colonies whether the mining rights, with easements of wood, water, and grazing, west of the Limpopo River, from the Transvaal border to a boundary five miles west of the Notwane, its tributary, over an area extending 20 miles north and south, have been conceded by Sechele, Chief of the Bakwenas and Barkatlas, to a Mr. James Arthur Nicolls, a British subject; and whether such concession was registered in the office of the Administrator of British Bechuanaland in March or April, 1888?

\*BARON H. DE WORMS: Sechele, the Chief of the Bakwenas, gave a concession to Mr. Nicolls in the country of his neighbour Lenchwe, the Chief of the Bakhatla. The latter refused to recognise the concession, or allow any work to be done under it. Sir Sidney Shippard intimated to the concessionaires that no pressure would be brought to bear on Lenchwe in their favour, and that, if the Chief persisted in his refusal to allow gold-prospecting in his county, the concessionaires would have no alternative but to abandon their enterprise. A copy of the concession may be in Sir S. Shippard's office, but it has not been "registered" there, if that phrase is intended to imply any recognition of it. Sir S. Shippard's action has been approved by the Secretary of State.

MR. A. O'CONNOR: Has such a concession been registered?

\*BARON H. DE WORMS: No, Sir; it could not be registered if it was not granted by a person who had a right to grant it.

#### CONCESSION IN BECHUANALAND.

MR. A. O'CONNOR: I beg to ask the Under Secretary of State for the Colonies whether a concession of mineral rights over an area of 20 miles square, adjoining the Southern boundary of and within his territory adjacent to Reitfontein, South-West of Lake Ngami, was made by Moremi, Chief of the Western Bamaugwelos, at De Nokane, Tonke River, to certain British subjects in August,

1888; whether the said concession was notified in September, 1888, to Sir Sydney Shippard, Administrator of British Bechuanaland, or to any other British officer; whether the Colonial Office recognise the said concession; and whether any negotiations already completed or now pending with the German Government will directly or indirectly affect this and similar concessions by Moremi or other African Chiefs North of Bechuanaland?

BARON H. DE WORMS: It is believed that some concession of this nature was obtained in 1888, but, if such be the case, it has not been communicated to the Colonial Office, or, so far as is known, to the Bechuanaland Government, and it follows that no recognition has been given by the Colonial Office. As regards the last paragraph of the question, I am unable to give the hon. Member any further answer than that given on Tuesday by my right hon. Friend the Under Secretary of State for Foreign Affairs.

MR. A. O'CONNOR: Do the Government adhere to the answer given in this House on the 9th of June, 1888, that the sphere of British influence in that latitude extends to 20 deg. East longitude?

BARON H. DE WORMS: Perhaps the hon. Gentleman will give notice of that question.

#### POOR RATE DEFAULTERS IN GOVAN.

MR. NOLAN (Louth, N.): I beg to ask the Lord Advocate if he can state how many poor rate defaulters there were in the combination of Govan, Scotland, on the 20th June, 1889; how many of them subsequently paid their rates; what was the amount due on the said date; and what was the amount ultimately lost to the funds of the combination through defaulters during the year; and also the same particulars with regard to the barony and city parishes of Glasgow respectively?

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I have already given the hon. Member this information, as regards the combination of Govan. In the barony parishes the number of defaulters was 12,624, of whom 626 subsequently paid. The amount due was £1,155 2s. 5½d., and the amount ultimately lost was £1,059 13s. 4½d. In the city parish the figures are respectively 8,780, 228, £879 0s. 3d. and £857 7s. 6d.



## THE POSTAL SERVICE.

SIR J. SWINBURNE (Staffordshire, Lichfield): I beg to ask the Postmaster General whether there is any rule in the Postal Service prohibiting a postmaster from being a member of a Town Council?

\*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): In reply to the hon. Baronet I have to state that there is no rule prohibiting a postmaster from being a member of a Town Council in a borough in which he resides, provided his official duties are not interfered with thereby.

SIR J. SWINBURNE: Does the same rule apply to Town Councils that have become County Councils under the Local Government Act?

\*MR. RAIKES: There is a general rule prohibiting all Civil servants from becoming members of County Councils.

## MILITIA DRILL.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the Secretary of State for War whether, in view of the admitted preference of the great majority of Militia commanding officers for the old system of preliminary drill, he will consider the question of allowing the Regulations to be elastic, so that battalions which are unable to obtain recruits under present arrangements may resort to the former plan?

\*MR. E. STANHOPE: In February last I presented to this House a very valuable Report on the Militia, and at pages 17 to 19 my hon. Friend will find the question of preliminary drill fully discussed. The Regulations allow of preliminary drill when a minimum number of recruits elect to be so drilled; but it is held to be of great importance for recruiting that the option should rest with the men, and from the Report it appears that 80 per cent. of them prefer to drill at the dépôt at a time when work is slack and their wage-earning power at its lowest.

DR. FARQUHARSON: I beg to give notice that, as this question affects very much the interests of recruiting for the Militia in my county, I will direct attention to the question upon the Vote.

## SMUGGLING.

MR. NOLAN: I beg to ask the Chancellor of the Exchequer how many seizures of smuggled goods were made by Customs officials in the year 1879 and the year 1889; also the number of seizures made by the Excise officials in the latter year after the smuggled goods had run the gauntlet of the Customs; and what steps he proposes to take to check smuggling, in the interests of legitimate trade and the revenues of the country?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The number of seizures of smuggled goods made by Customs officials in 1879 and 1889 were 1,307 and 4,756 respectively, while 157 seizures were further effected by the Excise officials in the latter year, consisting principally of small quantities of tobacco taken from sailors in Liverpool public houses. The increase in the number of seizures is due chiefly to the introduction of new arrangements in 1888 for checking petty smuggling, and it does not appear necessary to add to the measures which have produced so satisfactory a result.

## H.M.S. ICARUS.

MR. BRADLAUGH: I beg to ask the First Lord of the Admiralty whether he has yet received any Report from Admiral Sir W. Dowell, K.C.B., as to the inquiry held into the conduct of Commander Annesley on board the *Icarus*; and whether he can state the result of such inquiry?

\*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The Report of the Court of Inquiry has been carefully considered by the Admiralty. The investigation was a full one, and both officers and men had every opportunity of giving evidence upon the charges formulated in a letter written by the hon. Gentleman, which placed in a tangible and compact form the various allegations made by certain newspapers against Commander Annesley. Evidence was produced in support of the charge, that a punishment not recognised in the Service had been inflicted upon a writer named Cecil Dean, though it was asserted that the writer had been guilty of grossly insubordinate

and mutinous conduct. I have therefore directed a charge to be made on this count against Commander Annesley, to be tried by Court Martial, in order that the whole facts of the case may be elicited. The other charges were either not supported by reliable evidence or were of such a trivial character as not to call for further action.

#### ZULU AFFAIRS.

MR. HANBURY (Preston): I beg to ask the Under Secretary of State for the Colonies whether he will lay upon the Table the two telegrams of 23rd January and 1st February, 1889, referred to in Sir A. E. Havelock's Despatch of 11th February of that year, on Zulu affairs; and whether he can state exactly what proposal is referred to in the following paragraph of Lord Knutsford's telegram to Sir A. Havelock of 5th February, 1889, which paragraph has been omitted from that telegram as printed in the Blue Book, but appears incidentally elsewhere:—

"In answer to your telegram of the 1st February proposed removal of Dinizulu by force or surreptitiously undesirable,"

and by whom such a proposal was made?

\*BARON H. DE WORMS: Dinizulu had appealed to the Privy Council against the validity of the Warrant by which, under Colonial Law, he had been removed for trial in Zululand from Natal, where he was in legal custody. The Secretary of State, by the telegram of January 23, suggested that, under the circumstances, he should be sent back to the custody of the Natal Police. The Governor, in reply, stated in the telegram of February 1st that there was no way of sending him back except by force or surreptitiously, and asked whether it was wished that that course should be taken. It is fair to the Governor to state that he did not advocate this step; and the answer to his question was given in the negative, as quoted by my hon. Friend. The telegrams contained other confidential matters, and were not intended for publication. No action was taken upon the suggestion I have mentioned, which was in any event unnecessary; for as Her Majesty's Government were subsequently advised a Warrant, in substance the same as that under which Dinizulu was removed, might lawfully have been made under

Section 35 of the Fugitive Offenders Act, so that his grievance was technical and his injury (if any) only nominal. I shall be happy to show the telegrams to my hon. Friend, but it seems unnecessary to publish them.

#### FLASHING SIGNALS—ADMIRAL COLOMB'S INVENTION.

MR. BALLANTINE (Coventry): I beg to ask the First Lord of the Admiralty whether, since Her Majesty's Government has decided that Admiral Colomb's claims in respect of his invention of flashing signals were barred by a document in the following terms, which he signed in January, 1870, and gave to the then Under Secretary of State for War, Lord Northbrook, in receipt for £500 paid him—

"In discharge of all claims on account of signal arrangements for land service and for joint Naval and Military use,"

the First Lord has had submitted to him a letter from Lord Northbrook stating that the document was not intended to have the effect attributed to it, and a copy of a legal opinion of Sir H. James, dated February, 1890, in the following terms:—

"Admiral Colomb had not, in either letter or spirit, accepted the sums received by him in full satisfaction of all his claims;"

and whether the question referred to the Treasury for consideration is still the validity of Admiral Colomb's claim for compensation, or solely the amount of such compensation?

LORD G. HAMILTON: Admiral Colomb has submitted to the Admiralty the Papers referred to; but, as the question of this officer's claims is still under consideration, I must decline to make any statement as to the action taken by the Admiralty in the matter.

#### BETTING TELEGRAMS.

MR. S. SMITH (Flintshire): I beg to ask the Postmaster General whether his attention has been drawn to an article in the *New York Herald*, London edition, of 13th May, on "The Post Office and Betting;" whether he could have a Return prepared showing the proportion of betting telegrams to the rest of the messages conveyed through the Post Office telegraphs; whether it is true that at a great many offices more than half the business done is betting busi-

ness, and on the days of great races the more legitimate messages are greatly delayed by the mass of telegrams which come pouring into and from betting agencies; and whether he sees his way to prevent this use of the Telegraph Department?

\*MR. RAIKES: I do not think it would be desirable or proper for me to discriminate between the different classes of telegrams intrusted to the Post Office for transmission, and I could not, therefore, undertake to prepare such a Return as that asked for. I have no reason to think that what the hon. Member terms "legitimate messages" are delayed by "betting telegrams." Every endeavour is made by the Telegraph Department to meet any pressure of business; but I shall be glad to consider any suggestions which the hon. Member may wish to make to the Department in connection with this subject.

MR. S. SMITH: The right hon. Gentleman has not answered the third paragraph of the question, as to the character of the business at many of the offices, and the delay of the more legitimate business.

\*MR. RAIKES: I am not in a position to answer the question. I have already pointed out that it is not in accordance with the duties of the Department to discriminate between business of one kind and another.

#### THE ALKALI ACT.

SIR L. PLAYFAIR (Leeds, S.): I beg to ask the President of the Local Government Board whether, in view of the recent establishment in Lancashire, and elsewhere, of an important manufacturing process for the extraction of sulphur from the tank-waste of alkali works, steps will be taken to include this and similar operations involving the production of noxious gases under the provisions of the Alkali Act?

\*MR. RITCHIE: This matter has been receiving my attention, and I have given directions for the preparation of a Bill on the subject.

#### CHRIST'S HOSPITAL.

MR. MUNDELLA (Sheffield, Brightside): I beg to ask the Vice President of the Committee of Council on Education if any steps have as yet been

*Mr. S. Smith*

taken to create the body of 43 by which the new and much enlarged Christ's Hospital will in future be administered; and whether it has been arranged that the two Members, each representing the Universities of Oxford, Cambridge, and London respectively, shall be named before the commencement of their long vacations?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HAET DYKE, Kent, Dartford): My right hon. Friend will see that, until the scheme has received Her Majesty's assent in Council, it would be premature to take any such steps or to make any such arrangements as those suggested by the question.

#### TELEGRAMS AT RAILWAY STATIONS.

SIR J. SWINBURNE: I beg to ask the Postmaster General whether he will give his consent to the issue of a Return of the names of all Railway Stations in the United Kingdom at which the Railway Companies undertake to receive telegrams for transmission from the public; and, if not, whether he will give instructions that a list of all such Railway Stations shall be published in future editions of the Postal Guide?

\*MR. RAIKES: I do not think such a Return as that asked for by the hon. Member would be of public utility; but I shall be happy to consider whether the information already given in pages 33 to 122 of the Post Office Guide cannot be made more complete in this respect. I may mention that the Index to Bradshaw's Guide shows all the stations at which public telegraph business is transacted on behalf of the Postmaster General.

#### MISSION STATIONS ON LAKE NYASSA.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the Under Secretary of State for Foreign Affairs whether information has reached him that the Mission Stations of the Free Church of Scotland and the London Missionary Society at Bandawé and other stations northward on Lake Nyassa have received no mails or letters since October 1889; whether those mails have been detained by the Portuguese Authorities at Quilimane; and whether representations will be made to the Portuguese Government to prevent the detention of mails in the future?

\*SIR J. FERGUSSON: Owing to the recent disturbed condition of certain portions of territory in the regions mentioned postal irregularities must have occurred; but Her Majesty's Government have no information directly bearing out the statement made in the hon. Member's question. The matter will, however, be inquired into.

#### GREECE—NEW TARIFF.

MR. WOODALL (Hanley): I beg to ask the Under Secretary of State for Foreign Affairs when the fiscal changes which have been arranged for in the Convention with the Kingdom of Greece will come into operation; and whether the reductions in the tariff on imported articles, conceded by the Greek Government, as explained in the Budget speech by the Chancellor of the Exchequer, will be limited to British productions, or whether the like advantages will be enjoyed by any other countries under the "most favoured nation" conditions?

\*SIR J. FERGUSSON: The British duty on currants was reduced on May 1. I believe that the reciprocal reductions in the Greek tariff came into force a day or two later. Those reductions will apply also to the importations from other countries which have a right under Treaty to the privileges of the most favoured nation, and which do not enjoy similar terms by separate Conventions. But the articles in the Greek tariff selected for reduction were those which are imported in the largest measure from this country, and upon which, according to those best informed, the greatest benefit would be conferred on British trade.

#### WESTMINSTER HALL.

MR. LABOUCHERE: I beg to ask the First Commissioner of Works whether it has been brought to his notice that, last Monday night, a heavy piece of a stone heraldic animal suddenly fell from the exterior of this building close to the entrance to Westminster Hall, in Old Palace Yard; that, not many days ago, a portion of the ornamental stonework fell close to the Members' Entrance; and that another portion of the stonework was detached in New Palace Yard; and whether, in view of the danger to the lives and limbs of Members and others from such accidents, he will cause an

investigation to be made into the condition of the exterior ornamental stonework?

MR. PLUNKET: It is true that a piece of stone which formed the shoulder of the Unicorn at St. Stephen's Entrance fell on Monday night last. An examination shows that there had been a defect (technically called a "vent") in the stone which would not be easily seen when in position. This portion of the building was examined and repaired from top to bottom in 1878, and is in good condition with the exception of the two heraldic figures, which have a weather-worn appearance and have evidently been carved out of soft stone. These figures will be renewed within the present year. It is also the fact that a piece of the ornamental stonework at the entrance of the Star Chamber Court fell a few days since. Steps have already been taken for an examination and repair of these portions of the building during the Whitsuntide Recess. A complete examination and repair of the whole of the stone work of the Palace is in progress, and upwards of three-fourths of it has been finished, the workmen being at present engaged on the Victoria Tower. I may, however, observe that in a highly ornamental structure, such as the Houses of Parliament, it is impossible to discover every defect that may exist in the carved stonework, however carefully the examination may be made.

DR. TANNER: Will the right hon. Gentleman say whether the architect of this extremely ugly new building has been retained for the science and art building in Dublin?

[No reply was given.]

#### THE NAVAL RESERVE.

MR. HAYDEN (Leitrim, S.): I beg to ask the First Lord of the Admiralty whether there have been complaints of the annoyance caused by the firing, by the Naval Reserve, of heavy guns on the shore at New Brighton, Liverpool; whether he is aware that as the result of the firing serious damage has been done to property in the neighbourhood; and whether, if on inquiry he finds these complaints to be well founded, he will take steps to have the firing carried on further westward on the coast, where no annoyance would result?

\***LORD G. HAMILTON**: The Royal Naval Reserve are in the habit of practising from a nine pounder field gun from the beach at New Brighton, but no complaints on the subject have reached the Admiralty. It seems improbable that the firing of a gun of this size, whose maximum charge of powder is under 2 lbs., could inflict serious damage to property in the vicinity, but I have directed an inquiry to be made into the circumstances.

#### THE BOARD OF CUSTOMS.

**MR. WEBSTER** (St. Pancras, E.): I beg to ask the Secretary to the Treasury whether, in view of the evidence of the Chairman of the Board of Customs before the Commission on Civil Establishments, that three Surveyor Generals of Customs were necessary to carry out the duties of that Department, and provision for this number is made in the Estimates, in filling up the vacant office, due regard will be given to the practical experience in Custom House work of the officers in the out-door department of that Service?

**THE SECRETARY TO THE TREASURY** (Mr. JACKSON, Leeds, N.): My hon. Friend may rely that if it be found necessary to make an appointment to the post mentioned the Commissioners of Customs will give due regard to all the qualifications necessary to ensure the selection of the most efficient officers.

#### BREACHES OF THE FACTORY ACTS.

**MR. CUNINGHAME GRAHAM**: I beg to ask the Secretary of State for the Home Department if he will make inquiries into alleged breaches of the Factory Acts in the West Drayton and Iver brickfields, whereby men are compelled to work without meal hours?

**MR. MATTHEWS**: I am informed by the Chief Inspector of Factories that no complaints have reached him. If the matter complained of relates to the employment of men only, it would not be within the scope of the Factory Act, which in no way interferes with the labour of men, and their hours of meals.

#### TUBERCULOSIS.

**MR. J. P. SMITH** (Lanark, Partick): I beg to ask the President of the Local Government Board whether he is aware that during the last few months, in the

greater number of the cities and towns in the country, the carcasses of animals found to have been affected, however slightly, with tuberculosis are now condemned as unfit for human food, although the scientific inquiry which the Government is now instituting will probably occupy many months; and whether, in view of the fact that under this system the loss to the butchers is the same as if it had been already determined that such meat is harmful as food, the Government will consider the question of compensating the butchers whose carcasses are destroyed before the inquiry has been completed?

**DR. FARQUHARSON**: Has the inquiry mentioned in the question yet been held, and on what lines is it to be carried on?

\***MR. RITCHIE**: I am aware that it has been stated that carcasses of animals affected by tuberculosis are condemned as unfit for human food, although I have no official information on the subject. I am afraid I cannot come under any engagement such as that asked for in the latter portion of the question. As the hon. Gentleman is no doubt aware, the Government are not empowered to award compensation in such cases.

#### IRELAND—MR. GEORGE SANDES.

**MR. LABOUCHERE** (Northampton): I beg to ask the Attorney General for Ireland whether Mr. George Sandes, late J.P. for the County of Kerry, is Receiver, under an order of Judges Monro and Boyd, for the estates of The Fitzmaurice, G. E. Collis, esquire, The O'Donohue, and of other gentlemen; and whether it is contemplated to remove him from these Receiverships, in view of the fact that he has been removed from the Magistracy?

**THE ATTORNEY GENERAL FOR IRELAND** (Mr. MADDEN, Dublin University): The appointment and removal of Receivers under the Land Judges' Court is vested in the Court, and the Executive Government have no right to make any communication to the Judges with regard to the exercise of their judicial functions.

#### THE LAND COMMISSION.

**MR. BYRNE** (Wicklow, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is

aware that on the 24th April last the Land Commissioners (No. 6 Sub-Commission), whilst inspecting holdings on the Greaves Cathrew Estate at Dunard, Baltinglass Union, County Wicklow, drove the landlord and his bailiff from holding to holding on the Commissioners' car, although they were visiting the lands in their judicial and official capacity; that, although the tenant gave evidence as to value and produced an experienced valuer, the landlord elected not to do so; whether the judicial rents fixed by Land Commissioners on the holdings of Francis and Thomas Redding were 22½ and 47½ per cent. over the Government valuation; whether the rents on the Bookey estate, adjoining Reddings' land, were reduced to from 35 to 50 per cent. below the Government valuation; and, if he can explain this difference in the judicial rents on adjoining estates?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Land Commissioners report that the Assistant Commissioners who inspected the holdings on Mr. Graves Cathrew's property at Donard state that as Mr. Cathrew had no conveyance they, after inspecting one holding, asked him to accept a seat on their car to the other holdings, which were some distance off. They did so in order to save the time which would have been lost by driving on and waiting for Mr. Cathrew. It was getting late and they had other holdings to inspect. The Commissioners think that the Assistant Commissioners, under the circumstances, acted properly in giving Mr. Cathrew a seat on the car. The Assistant Commissioners, having heard the evidence in Court, and inspected the holdings, and considered all the circumstances of the case, fixed what they considered fair rents. The Commissioners cannot enter into any statement concerning the judicial rents fixed by the Assistant Commissioners or by themselves in Court in the exercise of judicial functions.

MR. BYRNE: Does the right hon. Gentleman think that the proceeding of the Commissioners was a proper one? Acting as they were as Judges, was it right that they should favour either one side or the other?

\*MR. SPEAKER: Order, order! The hon. Member is asking for an expression

of opinion which is not within the limits of a question.

MR. J. O'CONNOR (Tipperary, S.): Is it not usual on such occasions for the landlord to provide himself with a car? Is it upon record that the Sub-Commissioners ever gave a tenant such a ride upon a car?

MR. A. J. BALFOUR: I am not aware that such questions are made a matter of record.

#### LIGHT RAILWAYS IN DONEGAL.

MR. MAHONY (Meath, N.): I beg to ask the Secretary to the Treasury whether the Commission appointed by the Board of Works to inquire into schemes for light railways in County Donegal agreed to a unanimous Report; and, if not, whether he will lay upon the Table of the House a Copy of the minority Report?

MR. JACKSON; I must ask the hon. Member to defer the question until tomorrow.

#### NEW TIPPERARY.

MR. SCHWANN (Manchester, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is the fact that, on the 21st April last, when Father Humphry stood talking to Mr. Gill, of Nenagh (in streets of New Tipperary), the policeman, who is alleged to have told them rudely to "move on," and was asked his name, gave the name of Moran, though his true name is Leonard; did he refuse to say where he was stationed, and why; what are the regulations of the Force as to giving their name and address when asked; is it the fact that, on the 22nd April, a policeman followed Father Humphry and whistled after him in an insulting manner, and refused to give his name, but on another occasion gave it as Wilson Williams, though in a prosecution in Court swore his name was William Welsh; has the duty been especially assigned to this constable, William Welsh, to walk by Father Humphry's side and keep step with him, whilst another constable walks a few feet behind keeping step with them; and, what is the name of the second constable?

MR. A. J. BALFOUR: On April 22nd Constable Leonard told the rev. gentleman to move away, he having spoken to the constable in an insulting manner

when he was in the discharge of his duty. The clergyman did not ask the constable for his name, nor did the latter give a false name, nor refuse to state where he was stationed. There is no rule requiring a constable to give his name and address when asked, but it is customary to do so when a reasonable request is made for it. The statement in paragraph 4 of the question is not a fact. On the 21st April Constable Wilson was spoken to by Father Humphry for, as alleged, whistling after him, and on that occasion when the rev. gentleman asked him for his name he declined to give it, stating that the allegation was not the case. On that occasion the constable was engaged on duty unconnected with the rev. gentleman. On another occasion when he was on engaged on duty connected with the rev. gentleman he gave his proper name. He never swore in any Court that his name was Walsh. The rev. gentleman was watched by the police because he was believed to be engaged in promoting the illegal practice of boycotting in Tipperary. The constable referred to in the last paragraph appeared to be Dempsey.

MR. SCHWANN: Is the right hon. Gentleman prepared to assert that Father Humphry is taking active steps to incite the tenants against the payment of rent in Ireland?

MR. A. J. BALFOUR: The rev. gentleman has written a letter to the papers admitting it.

\*MR. H. J. WILSON (York, W.R., Holmfirth): If a constable refuses to give his name, will steps be taken to require him to do so?

MR. A. J. BALFOUR: I imagine that if a case were brought before the Police Authorities, in which a constable refused to give his name when asked to do so, under reasonable circumstances, they would deal with it.

MR. E. HARRINGTON (Kerry, W.): Will the right hon. Gentleman consent to the Irish Constabulary being numbered as they are in Belfast and Dublin?

MR. A. J. BALFOUR: A similar question was put to me the other day, and I said the matter had often come on for discussion in this House without a decision being arrived at. It is impossible to discuss it now at question time.

*Mr. A. J. Balfour*

MR. J. O'CONNOR: If Father Humphry is engaged in illegal proceedings, why has he not been prosecuted?

MR. A. J. BALFOUR: Father Humphry will, no doubt, be prosecuted if sufficient evidence is laid before the Attorney General.

MR. SCHWANN: The right hon. Gentleman has not answered the first paragraph of my question.

MR. A. J. BALFOUR: I understand that on the 22nd, not 21st, April, the constable concerned was Constable Leonard, who, as I have already stated, was not asked his name. On 24th April Constable Moran was asked his name and gave it. He does not appear to have been asked his name on the 21st or 22nd April.

MR. J. O'CONNOR: I beg to give notice that in the course of the evening I will call attention to the whole of these proceedings.

#### THE ATHY BOARD OF GUARDIANS.

MR. CAREW (Kildare, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the cause of the delay on the part of the Local Government Board in sanctioning the appointment made, so far back as the 26th of March last, by the Athy Board of Guardians, of a sub-sanitary officer for Castledermot?

MR. A. J. BALFOUR: The delay arose owing to a subsequent proposal from the Board of Guardians to constitute Castledermot a relief district, in which case, according to the usual practice, the relief officer would probably have become the sanitary sub-officer. The Local Government Board having decided that the proposed change in the relief districts should not be made, the question of the appointment of the sanitary sub-officer for Castledermot is now being proceeded with.

#### STATUE OF THOMAS DAVIES.

MR. MAHONY: I beg to ask the Secretary to the Treasury whether he will take steps to procure and place in the new Science and Art Buildings in Dublin a work of national and historical interest, namely, the statue in white marble of Thomas Davis, executed by Foley, formerly in the custody of the Royal Dublin Society, and at present suffering great injury from exposure to

the weather in the grounds of the Mount Jerome Cemetery, Dublin?

MR. JACKSON: I understand that this statue is at present in the charge of the authorities of Mount Jerome Cemetery; if they are willing to hand it over to the Science and Art Museum, my right hon. Friend the Vice President of the Committee of Council on Education informs me that he will be glad to provide a place for it.

MR. MAHONY: Will the right hon. Gentleman use his influence in endeavouring to obtain this statue in order to preserve it?

MR. JACKSON: I am afraid that I have no influence with the authorities of the cemetery.

#### THE BANN DRAINAGE.

MR. T. M. HEALY (Longford, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when the Bann Drainage Bill will be introduced?

MR. A. J. BALFOUR: I am afraid that, in the present state of public business, I am not in a position to give the hon. and learned Gentleman the information he asks for.

MR. T. M. HEALY: Did not this Bill form part of the remedial policy of the Government?

MR. A. J. BALFOUR: The Government certainly believed it to be part of a remedial policy. If the hon. and learned Gentleman desires to know why it has not already been passed I think he had better ask his friends.

MR. T. M. HEALY: Why has it not been introduced?

MR. A. J. BALFOUR: Experience has shown that there is very little use in introducing Bills unless there is some prospect of passing them. The opposition they meet with usually renders that result impossible.

MR. T. M. HEALY: This Bill was introduced two years ago. Why have the Government brought in later Bills, such as the Land Purchase Bill?

\*MR. SPEAKER: Order, order!

#### GRIEVANCES IN TOBAGO.

SIR G. BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the Under Secretary of State for the Colonies whether a Petition has been received by the Secretary of State for the Colonies from landowners and others in the Island

of Tobago, praying that an independent Commission of Judges should inquire into grievances which they allege to have arisen in Tobago in consequence of recent judicial decisions in that island, some of which, they complain, are in direct contravention of the Metayer Ordinance of 1888; and, if so, whether any action will be taken in consequence of that Petition; and whether a Copy of the Petition will be laid upon the Table of the House?

(4.30.) **BARON H. DE WORMS:** No such Petition has been received, but the Secretary of State has received from persons in England connected with Tobago a copy of a Petition from planters and other persons in Tobago to the Queen in Council, complaining of recent judicial decisions in that island, which has not yet been received from the colony. The attention of the Secretary of State has been directed to the great amount of recent litigation in Tobago, in connection with the Metayer system, and he has instructed the Governor of the colony to appoint a Commission to inquire into the working of the system. Until a Petition is received it would be premature to say whether any action will be taken upon it, or whether it will be laid before the House.

#### THE INCIDENCE OF TAXATION.

MR. S. EVANS: I desire to ask the Chancellor of the Exchequer whether the Select Committee which he undertook on Tuesday should be appointed to inquire into the comparative incidence of taxation in Ireland and Scotland will also be empowered to inquire into such incidence in Wales, so as to have a complete comparison of the incidence of taxation in the four countries which constitute the United Kingdom?

MR. GOSCHEN: I do not propose to refer any questions to the Committee as to Wales separately from the rest of the Kingdom.

MR. S. EVANS: May I ask whether there are any reasons why Wales should not be treated separately?

MR. GOSCHEN: Wales has never been treated in that manner. But if Wales were, for fiscal purposes, treated as not being a part of England, I should think that Welshmen would very much regret it.



## SOUTH AFRICA.

EARL COMPTON (York, W.R. Barnsley): May I ask the Under Secretary of State for the Colonies whether, under existing arrangements, the country of Bamangwato, in South Africa, is within the sphere of British influence; whether Her Majesty's Government are in possession of information that Moremi, the ruler of that country, has granted concessions to British subjects owing to that fact; and whether Her Majesty's Government have received any communication from Mr. Arthur James Nicolls on the subject; and, if so, what answer have they sent to him?

\*BARON H. DE WORMS: The country of the Bamangwato, Khama's tribe, is under British protection and influence. Moremi, chief of the Batawana, residing near Lake Ngami, has granted concessions to British subjects. There is no official information as to whether Moremi was influenced by the belief that his country was under British influence when he gave these concessions. Mr. Nicolls and his partners have communicated through their attorneys in South Africa with the High Commissioner on the subject, but no answer has yet been returned to them.

## NOTIFICATION OF INFECTIOUS DISEASES.

MR. BRUNNER: I wish to ask the President of the Local Government Board how many Sanitary Authorities have adopted "The Notification of Infectious Diseases Act, 1889;" and what is the total number of Sanitary Authorities?

\*MR. RITCHIE: The Board have been informed that 469 Urban Sanitary Authorities, 331 Rural Sanitary Authorities, and 18 Port Sanitary Authorities have adopted the Notification of Infectious Diseases Act, 1889. This makes a total of 818 Authorities who have adopted the Act. The total number of urban, rural, and port sanitary districts is 1,624. The population, according to the Census of 1881, of the districts in which the Act is in force, exclusive of the Metropolis, is 15,463,000. There are also 56 towns, with a population of 3,751,000, where, under the provisions of local Acts, the system of notification is in operation. The result is that out of a total population, according to the

Census of 1881, of 25,970,000 the population subject to a system of notification is now 19,214,000.

MR. BRUNNER: May I ask whether there is any hope that the Act will be made compulsory throughout the country next Session?

\*MR. RITCHIE: No doubt the time will arrive when it must be considered whether the Act ought not to be made compulsory; but I doubt whether we should be justified in making the system compulsory so soon after the passing of the Act.

## CAPTAIN PLUNKETT'S CIRCULAR.

MR. T. M. HEALY: I wish to ask the President of the Local Government Board if his attention has been called to a Circular issued by the late Captain Plunkett, Divisional Commissioner for Munster, to District Inspectors Royal Irish Constabulary, of which the following is an extract, as regards publicans:—

## "D.I. Boycotting.

In any prominent case of boycotting in your district, especially in a case where the person boycotted is under police protection, the proper steps to take are:—

- I. Get person boycotted to consent to go with police and demand supplies from those who have refused or are likely to refuse him, and more especially if such person refusing is a publican:
- II. If he consents send with him one or two intelligent policemen with instructions to note carefully anything said and done:—

will he inquire from the Irish Office why "publicans" were directed to be singled out for prosecution; and will the special directions as regards licensed traders now be withdrawn?

\*MR. RITCHIE: The hon. and learned Member will realise that the matters referred to in the question are not such as in any way come within the jurisdiction of my Department, and therefore I cannot give him any information with regard to them.

MR. T. M. HEALY: I ask the right hon. Gentleman the question, because of its bearing on the Licensing Bill. Publicans in Ireland are to be singled out for prosecution, according to this circular, and may lose all right to compensation.

\*MR. RITCHIE: As I have frequently said, the Bill makes no alteration what-

ever in the position of holders of licences. They may lose their licences under the existing law for offences such as the hon. Member refers to.

MR. T. M. HEALY: Would the right hon. Gentleman have any objection to use his influence with the Irish Government to get a stop put to the special prosecution of publicans referred to in this circular, in view of the introduction of this Bill, which, at any rate, favours the publicans of England and Scotland? Why should publicans in Ireland be singled out for prosecution any more than they are in England?

\*MR. RITCHIE: The Irish publicans will be in no way worse off than the English publicans. In each case, if there was cause of complaint, there would have to be a representation made against renewal of licence.

#### THE ORDNANCE SURVEY STAFF.

MR. T. M. HEALY: I desire to ask the President of the Board of Agriculture, can he now give, as regards the pay of Ordnance Survey Staff, the percentage of increases to staff employed, and average rate of increase, during the past three years, *i.e.*, 1887, 1888, and 1889, and the same information for 1884, 1885, and 1886?

MR. CHAPLIN: I have inquired further into this matter, but the headquarters of the Ordnance Survey Office being in Southampton, I have not yet been able to procure the information the hon. Member desires. I have asked, however, for a Return, which I expect to receive shortly, and which I hope will contain all the information he asks for.

#### EMBOSSED STAMPS ON ENVELOPES.

VISCOUNT GRIMSTON (Herts, St. Alban's): I wish to ask the Postmaster General if he can (with the view of saving hon. Members the trouble of affixing postage stamps to the large number of letters which they write in the House of Commons) see his way to authorise the issue, from the Post Office in the House, of envelopes embossed with stamps of the more generally employed values, to be purchaseable by them at the face value of the stamp, the envelope being included without charge?

\*MR. RAIKES: I am already in communication with the authorities of the House with a view, if possible, to the

adoption of some arrangement which would practically meet the wishes of my noble Friend.

#### RAILWAY BOYCOTTING IN IRELAND.

MR. T. M. HEALY: I wish to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, now that the station-master at Carrickmacross has surrendered the evicted house, and the boycott has in consequence been removed from the Great Northern Local Railway, the Government will mark their sense of the restoration of peace in the town by releasing the three gentlemen sentenced to six months' imprisonment for boycotting the line?

MR. A. J. BALFOUR: I understand that it is the case that the railway company having completed the building of the house for their station master he has removed into it from the house which he had temporarily occupied during its construction. The Lord Lieutenant is not aware of anything in the circumstances of the case of the prisoners referred to which would suggest any interference with the course of the law.

#### ALLOTMENTS.

MR. CUST (Lincolnshire, Grantham): I beg to ask the President of the Local Government Board, in view of Section 211 (1.) (b.), and Section 230 of "The Public Health Act, 1875," whereby it is enacted that the

"Occupier of any land used as arable, meadow, or pasture ground only, or as woodlands, market gardens, or nursery grounds," shall be assessed to the general district rate in an urban district, or to a separate rate levied in respect of special expenses within the meaning of the said Act in a rural district, in the proportion of one-fourth part only of the net annual value or rateable value of such land, whether allotments are or are not included among the lands to which the aforesaid exemptions apply?

\*MR. RITCHIE: The question whether an allotment should be assessed on a reduced assessment is one of law, and one which can only be determined with reference to the actual circumstances with regard to the particular allotment. Any claim to exemption must depend on whether or not the land is so used as to bring it within the terms of the sections alluded to in the

Public Health Act, which confers the exemption on the occupier of any land used as arable, meadow, or pasture ground only, or as woodlands, market gardens, or nursery grounds.

#### SCHOOL BOARD ELECTIONS (SCOTLAND) BILL.

MR. SHIRESS WILL (Montrose, &c.): I desire to ask the Lord Advocate when the Secretary for Scotland expects to be able to give an answer to the deputation of Scottish Members who waited on him on 28th March on the subject of the School Board Elections (Scotland) Bill?

MR. J. P. B. ROBERTSON: Shortly after Whitsuntide.

#### THE WHITSUNTIDE MANŒUVRES.

MR. GOURLEY (Sunderland): I would ask the First Lord of the Admiralty whether it is correct that there are to be combined naval and military manœuvres off Dover during Whitsuntide; if so, will he state how many ships and troops are to be employed, and the intended nature of the tactics; and whether it is true that the Channel and reserve squadrons are to take part in the combined German naval and military manœuvres which it is reported are to be held in the Baltic in the autumn?

LORD G. HAMILTON: Arrangements have been made for carrying out certain manœuvres in the neighbourhood of Dover at Whitsuntide, in which the Navy will take part; and four of Her Majesty's ships have been ordered to be at Dover on the 26th inst. I am unable to say what the exact nature of the combined operations will be, but the senior naval officer has received directions to communicate with the officer commanding the South-Eastern District as to the part the Navy are to take on the occasion. There is no truth in the rumours alluded to in the second part of the question.

#### REFUSAL OF BAIL IN IRELAND.

MR. T. M. HEALY: I would ask the Attorney General for Ireland whether it was on the ground of apprehended flight that Colonel Longbourne, R.M., refused bail to Mr. Rice and Mr. Kent at Fermoy, pending the hearing at Petty Sessions of a charge of intimidating an emergency man; and whether Resident

*Mr. Ritchie*

Magistrates will be instructed not to refuse bail, under the Criminal Law and Procedure (Ireland) Act, except on this ground, especially when the Queen's Bench is not sitting?

MR. MADDEN: The facts are, I am informed, as follows:—The Resident Magistrate offered to accept bail in regard to both the defendants named if they would give an undertaking, pending their trial, not to interfere with the men who were working on certain lands; on their refusing to give this undertaking bail was refused. The Executive Government cannot interfere with the discretion of Magistrates in the manner suggested in the concluding portion of the question.

MR. T. M. HEALY: Why were summonses not issued against these gentlemen, one of whom was a brother of the Local Crown Prosecutor?

MR. MADDEN: That does not arise out of my answer. If the hon. Member desires information on this matter I will obtain it.

MR. T. M. HEALY: I will call attention to this matter on the Vote on Account.

#### THE SUGAR CONVENTION.

SIR L. PLAYFAIR (Leeds, S.): I beg to ask the First Lord of the Treasury whether, as Article 11 of the Sugar Convention provides that—

"The Convention shall be ratified and the ratifications exchanged in London on the 1st of August, 1890, or sooner, if possible,"

there is any intention of ratification without the consent of Parliament, as an implied condition in the earlier part of the same article; and whether the Convention ceases to exist if the ratifications are not interchanged at the specified date?

\*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): It is always open to Powers to ratify a Treaty they have made, even though the day fixed for ratification shall have passed by.

SIR L. PLAYFAIR: May I ask the right hon. Gentleman whether there is any intention on the part of the Government to ratify the Convention without the consent of Parliament?

\*MR. W. H. SMITH: I think liberty must be reserved by Her Majesty's Government to act as they may think

necessary in the event of other Powers ratifying the Convention.

SIR L. PLAYFAIR: Am I to infer from the answer of the right hon. Gentleman that the Government consider themselves at liberty to ratify the Convention without the consent of Parliament?

\*MR. W. H. SMITH: I must have notice of that question.

SIR L. PLAYFAIR: It is on the Paper.

\*MR. W. H. SMITH: I will look into the matter.

SIR L. PLAYFAIR: I will put the question down for to-morrow.

#### WALES AND PARLIAMENTARY RETURNS.

MR. S. EVANS: I wish to ask the First Lord of the Treasury whether, in view of the fact that Parliament has legislated separately for the Principality in various cases, and also of the importance of obtaining accurate statistical information for such legislation and for other purposes, the Government will take steps to secure that all Returns made to Parliament shall in future, so far as is practicable, give statistics for Wales and Monmouthshire under distinct and separate heads from those for England, as is now done in the cases of Scotland and Ireland?

\*MR. W. H. SMITH: I am not aware of the statistical information the hon. Member refers to, nor am I aware of any occasion for making a change in the form in which Returns are presented to the House. It is our desire to give the fullest information to the House as to every part of the United Kingdom.

#### BUSINESS OF THE HOUSE.

MR. LABOUCHEE: I wish to ask the First Lord of the Treasury whether he can state in what order, and when, the different Classes of Votes will be taken?

\*MR. W. H. SMITH: Class V. will be taken first after the Recess—that is to say, if there be a Recess. I cannot say more now.

MR. J. MORLEY: When will the Committee stage of the Local Taxation Bill be taken?

\*MR. W. H. SMITH: It will not be taken before the Thursday after the House meets—that is, if there should be a holiday.

#### REPORTED OUTRAGE IN CRETE.

MR. SCHWANN: I would ask the Under Secretary of State for Foreign Affairs whether his attention has been called to the telegram of the 8th of May on the case of Hassan Bey, who outraged a Greek girl, which said,

“That as the Russian Consul has made a protest against the action taken by the Magistrate in the matter, it is highly probable that the Magistrate has dealt with the case in an unsatisfactory manner;”

and whether he will ascertain whether the case has been tried already and judgment given, what that judgment was, and what was the tenour of the protest of the Russian Consul?

\*SIR J. FERGUSSON: The hon. Member has already called my attention to the telegram in question. I must say that Her Majesty's Government cannot undertake to investigate the truth of the *Daily News* telegrams. Her Majesty's Consul received special instructions to watch the proceedings in the case referred to, and had there been an apparent intention to evade its just examination he would have reported accordingly.

#### FREE POSTAGE OF PARLIAMENTARY PAPERS.

MR. LENG: I wish to ask the Postmaster General whether, seeing that the income of the Post Office, according to the Official Statement for the year ended 31st March, 1890, was £9,450,000, and the expenditure only £5,463,204, showing a surplus of £3,986,796, he will, in view of the desirableness of disseminating amongst the constituencies accurate political information, arrange for Members of Parliament sending to their constituents Parliamentary Papers, not exceeding 4oz. weight, without payment of postage?

\*MR. RAIKES: I have no power to grant any hon. Member the privilege of franking Parliamentary Papers or any other correspondence, the franking privilege having been abrogated by the Penny Postage Act, 3 and 4 Vic., cap. 96. But I shall be willing to consider if any additional facilities can be given for the dissemination of Parliamentary Papers.

## AUSTRALIAN DEFENCE.

MR. BARTLEY (for Mr. HANBURY): I beg to ask the Under Secretary for the Colonies whether, under Article 9 of the Australasian agreement as to the completion for sea of certain men-of-war, it is provided that—

"This agreement shall be considered to become actually binding between the Imperial and the several Colonial Governments so soon as the Colonial Legislatures shall have passed Acts appropriating the necessary funds;"

and whether all, or which, of the Colonial Governments concerned have passed such Acts?

BARON H. DE WORMS: My hon. Friend has correctly interpreted the terms of the article in question. All the Colonial Governments concerned—Queensland excepted—have passed the necessary Acts.

## THE PROPOSED MEETING AT NEW TIPPERARY.

MR. J. MORLEY: I beg to ask the Chief Secretary whether there is any truth in the report that a meeting which is proposed to be held next Sunday at Tipperary, and which is to be addressed by the hon. Members for Cork and East Mayo, is to be proclaimed?

MR. A. J. BALFOUR: I have no very full details of the objects of the meeting before me yet, but certainly if an open air meeting is to be held in Tipperary in its present condition, and inflammatory speeches are likely to be made, it will, undoubtedly, lead to intimidation, and any such meeting must be stopped.

MR. J. MORLEY: Will the right hon. Gentleman state what is the difference between a meeting addressed by Irish Members and a meeting addressed by English Members?

MR. A. J. BALFOUR: I do not know what meeting the hon. Gentleman alludes to. If he alludes, as perhaps he does, to the banquet at New Tipperary, I may remind him that that banquet did not take place in the open air. [An hon. MEMBER: There was a meeting outside.] Two meetings which were to have been addressed by the hon. Member for North-East Cork were stopped for the reason I have just indicated to the House. If the right hon. Gentleman asks me generally what is the difference between meetings addressed by Irish Members and meetings addressed by English Members, I

should say that the result in the one case is to produce intimidation, and that in the other the result is *nil*.

MR. J. MORLEY: Are we to understand that the deciding consideration is whether a meeting is held in the open air or not?

MR. A. J. BALFOUR: Undoubtedly that is one of the considerations. The difference between these mass meetings in the open air, at which inflammatory speeches are delivered, and a meeting held in a building is, as the right hon. Gentleman well knows, vital.

MR. PICTON: I wish to ask whether the right hon. Gentleman is aware that before the banquet at New Tipperary a very large open air meeting was held, at which speeches of the usual character were made.

DR. TANNER: Before the right hon. Gentleman answers I should like to ask him whether detectives were sent from Dublin to attend the open air meeting by orders from the Castle?

MR. A. J. BALFOUR: No, Sir. My recollection is that the promoters of the new Tipperary demonstration were informed that there was not to be an open air meeting, and that as far as their programme consisted of a banquet, it would not be interfered with.

MR. GILL: Is not the right hon. Gentleman aware that the open air meeting took place in the public square of New Tipperary, that an address was presented by the people of that town to the English visitors, and to the Irish Members of Parliament there attending, and that this address was replied to, amongst others, by the hon. Member for Leicester, the hon. Member for North-East Cork, the hon. Member for Mid Tipperary, the Lord Mayor of Dublin, and several mayors from other parts of Ireland; and whether, that being the case, the right hon. Gentlemen still persists in denying that a public meeting took place in the open-air in new Tipperary on April 12th?

\*MR. C. GRAHAM: Before that is answered may I ask whether the same laws apply to public meetings in Ireland as well as England, because, if they do, there will be no difficulty in suppressing the meeting, as we shall have the Front Bench on this side in accord with the Government.

MR. J. O'CONNOR (Tipperary, S.): Is it not the case that it is only a short time since this meeting took place, and that since then there has been nothing dangerous in the state of New Tipperary; and is it just to declare that the effect of speeches made there by English ladies and gentlemen was *nil*?

MR. A. J. BALFOUR: I have no ground for thinking that the speeches referred to ought to be described by a more complimentary term than that which fell from me. So far as I can recollect the meeting referred to was very subsidiary to the main feature of the demonstration, which was the banquet.

MR. J. O'CONNOR: I rise to ask the right hon. Gentleman whether I am to be allowed to address my constituents on Sunday or not?

MR. SEXTON: The right hon. Gentleman has not yet said whether the proclamation of the meeting has, or has not, been determined upon. I may say that not only my hon. Friend below me, but the four Members for Tipperary County intend to use this meeting for the purpose of discussing public affairs with their constituents.

MR. A. J. BALFOUR: I think the hon. Gentleman must be well aware that there is no objection whatever to hon. Members addressing their constituents on public affairs. There is an objection, however, to large open air demonstrations in a town where intimidation has existed, and does exist to a large extent, where vile crimes are constantly perpetrated, and where there is reasonable ground for supposing that such a meeting would add to the evils I have indicated. I am afraid that an open air meeting held at the time mentioned, even though it might be addressed by the hon. Member for Tipperary, could not be permitted.

MR. SEXTON: One more question. Did the great open air meeting held lately have any bad consequences?

MR. A. J. BALFOUR: I have already told the hon. Gentleman that what he describes as an open air meeting was not represented to me as such at all. The authorities distinctly gave notice that if the programme of the demonstration, the chief item of which was a banquet, was adhered to it would not be interfered with.

MR. J. O'CONNOR: I wish to know whether the intimidation to which the right hon. Gentleman alludes consists of a peaceable surrender to the Member for Hunts of his property, and a peaceable taking possession of property which had been legally acquired?

MR. A. J. BALFOUR: The surrender referred to was not necessarily an act of intimidation, but may have been the result of an act of intimidation.

#### THE GOVERNMENT LICENSING PROPOSALS.

MR. CAMERON CORBETT (Glasgow, Tradeston): I wish to ask the President of the Local Government Board a question, of which I have given him private notice. Can he give us any further particulars as to the public meeting at Bridgeton, Glasgow, at which he yesterday informed the House, a Resolution in favour of his proposals was passed, as no Report of such meeting appears in any of the Glasgow newspapers, and as inquiries at the police offices and the public halls have failed to elicit any information regarding it?

\*MR. RITCHIE: I received a telegram in the House shortly before I rose. I have no information beyond that which was conveyed to me in that telegram, which is as follows:—

"At public meeting in Bridgeton Division of Glasgow, held in Mechanics' Hall to-day, it was unanimously resolved that this meeting heartily support the Government proposals as contained in Local Taxation (Customs and Excise) Duties Bill as it now stands.

WILLIAM BROWN,

88, John Street,

Bridgeton."

#### ORDER OF BUSINESS.

MR. J. MORLEY: I suppose we can understand that no business will be taken to-morrow, except the adjournment?

\*MR. W. H. SMITH: I am afraid I must ask the House to do some business. We must take the Inland Revenue Bill and the Report of the Committee on the Vote on Account, and in the event of the Contagious Diseases (Animals) Bill not having been passed, and the Allotments Bill not having been completed, we shall ask the House to take those measures before we proceed with further business. We shall

also have to ask the House to consent to a Motion for giving up the whole of Tuesdays and Fridays after Whitsuntide for Government business.

MR. J. MORLEY: Assuming that all this be got through, the right hon. Gentleman's apprehensions as to our not having a holiday, I suppose, will fall through.

\*MR. W. H. SMITH: I hope I may not be supposed to be seeking to impose conditions on the House; I am rather seeking to further business, and to meet the convenience of the House. In the event of the Motion of which I have given notice being accepted, I shall move for an adjournment until Monday, the 2nd of June.

MR. T. M. HEALY: With regard to the Contagious Diseases Bill I would appeal to the right hon. Gentleman not to take it before Whitsuntide.

MR. CHAPLIN: I am sanguine enough to hope that a very few minutes' discussion will be enough for that Bill, and I must ask the House, if possible, to take it. It cannot come into operation for a considerable time, and it is of great importance that we should get it passed.

MR. HOWELL (Bethnal Green, N.E.): Is it intended to take the Savings Banks Bill to-night?

MR. GOSCHEN: I hope it may be possible to take the Second Reading, and to refer the Bill to a Committee; but, of course, I will not ask the House to read it a second time unless there is a general disposition to do so.

MR. WOODALL (Hanley): May I ask the First Lord of the Treasury whether he has given consideration, as promised, to the application I made to him to exempt from the rule respecting morning sittings the First Tuesday after the Holidays?

\*MR. W. H. SMITH: I have given great consideration to that request, and I feel great sympathy with hon. Gentlemen who take an interest in the question which is to be considered on that day; but I would point out that it is an abstract Resolution, and my advice to the hon. Gentleman will be to use the facilities the House gives for bringing in a Bill.

MR. WOODALL: The right hon. Gentleman is aware of the difficulties that attend private Members' Bills after

*Mr. W. H. Smith*

Whitsuntide. Will he afford facilities for the discussion of the Bill?

\*MR. W. H. SMITH: Certainly not; but I would advise the hon. Member to procure a good position for a Bill of the kind next Session.

MR. H. H. FOWLER (Wolverhampton, E.): In the event of the Government taking all the time of private Members after Whitsuntide will the right hon. Gentleman revert to the ordinary hours of meeting on Tuesdays and Fridays?

\*MR. W. H. SMITH: I think that would be for the convenience of the House, and we will do our best to meet the convenience of the House.

MR. T. P. O'CONNOR (Liverpool, Scotland Division): The right hon. Gentleman promised some days ago that he would make inquiries as to whether he would be able to bring influence to bear on his supporters to allow the Second Reading of the School Board for London Superannuations Bill. Has the right hon. Gentleman succeeded in doing so?

\*MR. W. H. SMITH: I am sorry to say I have not been able to communicate with my hon. Friends.

#### DUBLIN CORPORATION BILL—ATTACK ON THE POLICE AND SANITARY REGULATIONS COMMITTEE.

\*(5.5.) MR. G. W. HASTINGS (Worcestershire, E.): Mr. Speaker, I wish, if the House will allow me, to occupy a short portion of its time. As Chairman of the Police and Sanitary Regulations Committee of this House it is, I may say, and at the wish and with the support of that Committee, that I am about to make a few remarks. I have, Sir, brought up to your Table the Report of that Committee on the Bill which has been promoted by the Dublin Corporation, and in that Report we have endeavoured to give good reasons for all we have done with regard to that Bill and the recommendations we have made; but, Sir, it is necessary for me, as Chairman of the Committee, unfortunately, to say something on one portion of that Bill. One of the clauses of the Bill related to a road called the Blackrock Road, which runs from the city of Dublin to the Harbour of Kingstown. In former days that was the only means of communication between Dublin and Kings-

town, and Parliament then, no doubt with good reason, thought fit to require the Corporation of the City of Dublin to pay one-third of the cost of the maintenance of that road. The Bill purported to relieve the Corporation from that obligation. The Committee went most carefully into the whole case. They heard a number of witnesses. They considered the evidence most carefully, and, finally, looking to the altered circumstances of the case, that a railway is now running from Dublin to Kingstown, and also a tramway, that the passenger traffic, instead of going along the road, is now carried by the tramway and the railway, both of which contribute materially to the rates of the townships of Pembroke and Blackrock, through which the road passes, they came to the conclusion that it was no longer equitable to require the City of Dublin to contribute to the maintenance of the road, and they passed a clause through Committee relieving the City of Dublin from that obligation. Well, now, the House must allow me just to say that the Police and the Sanitary Regulation Bills Committee is not an ordinary Private Bill Committee. It consists of 11 members nominated by the Committee of Selection, and these 11 members have been drawn impartially by the Committee of Selection from all the Parties in this House. Many of its members have had considerable experience in the work. I may say that I have served continuously on the Committee since the Session of 1882, and have now for four Sessions been its Chairman. We may, therefore, venture to claim some knowledge of the subject with which we deal and some experience in dealing with it. We arrived at the conclusion we did as to the Blackrock Road, not only after a long investigation—the Committee sat more than a month on the Bill—but with a most earnest desire to do justice, and only justice, between the parties whose interests were involved in the case. It was, therefore, with great surprise the Committee had laid before them by one of its members, the hon. Member for Aberdeenshire (Dr. Farquharson) a report in the *Irish Times* of a meeting of the Blackrock Commissioners, in which the statements I will read to the House were made. I may observe that at the meeting of the Commissioners the chair was occupied by

Mr. Wigham, who was one of the witnesses before the Committee, who had the fullest opportunity of stating everything he knew, and of explaining his views, and who was treated with every possible courtesy by the members of the Committee. I find at this meeting of the Blackrock Commissioners, amongst other things, this was stated—

“The Committee—that is, the Committee of the Commissioners in opposition to the Bill—reported that they had pointed out this hardship and injustice towards the township of Blackrock to the Committee of the House of Commons, but without success, mainly, as they believe, through the action of one of that Committee, Mr. Thomas Sexton, M.P., who, although a promoter of the Bill, did not scruple to sit on the Committee, acting, in fact, as judge in his own case, and cross-examining the witnesses in a hostile manner, and even interfering with counsel as to their manner of conducting the case.”

The Commissioners then proceeded to pass two Resolutions upon it, which were these:—

“That the Commissioners hereby accord their emphatic protest against the action taken by one of the members of the Committee, Mr. Thomas Sexton, M.P., who although one of the promoters of the Bill, sat on the Committee, and used his influence as a member of the Committee in inducing them to pass the clauses which he himself approved, and acted, in fact, as an advocate for the promoters of the Bill, cross-examining the witnesses for the opposition in a hostile manner.”

And it was further resolved—

“That the Commissioners are of opinion that such conduct on the part of Mr. Sexton having unfairly prejudiced the minds of the Committee the Bill should not be allowed to become law with the several clauses against which the Commissioners petitioned standing in the form passed by the Committee, and that petitions to this effect be prepared and presented to both Houses of Parliament, and that copies of this Resolution be sent to Her Majesty's Government.”

I will relieve the House from any fear, if they have any, that any Question of Privilege is raised. I beg to say on behalf of the Committee that we should not trouble ourselves to raise any Question of Privilege on such statements as these. We believe the Committee, which has now been in existence some seven or eight years, commands the confidence of the House, and the House knows that the Members of the Committee only do their best to deal justly with all the interests concerned, and to pass Bills which are likely to be for the public



good. The Committee wish me to lay before the House what are the real facts of the case. I am anxious to say at once that if there is anyone responsible for the hon. Member for West Belfast (Mr. Sexton) sitting upon the Committee while the Dublin Corporation Bill was before it, I am ready to plead guilty to being that person, for the hon. Member, who was nominated to the Committee by the Committee of Selection, came to me before the Dublin Corporation Bill was called on, and said that if I objected in any way to his sitting on the Committee he was ready and willing to retire. I told him I was not aware of any objection, according to the Rules of the House, to his sitting on the Committee, and I have fortified myself on that point by taking the opinion of those who are the best authorities on the question, the Officials of this House, and I believe the hon. Member for West Belfast had also consulted the Chairman of Committees of the House (Mr. Courtney), who, Mr. Speaker, during your lamented indisposition, was at the time acting as Deputy Speaker, and he also consulted your counsel, and received from both authorities the statement that there was nothing to prevent him acting on the Committee. I would wish to add this, and I add it in the presence and hearing of the other Members of the Committee, that, in my opinion, the conduct of the hon. Member for West Belfast on our Committee during the whole progress of the Bill was such as to do him honour and to raise him in the estimation of the Committee. There was not one word said by him to which it was possible to take any objection, and with regard to the statement as to his hostilely cross-examining witnesses, and, in fact, imputing to him the taking of some violent course in the matter, I give it the most emphatic contradiction. If the hon. Member had acted thus, it would have been my duty, as Chairman of the Committee, to have called him to order, and I should have done so. I never had any other feeling with regard to his conduct throughout the whole progress of the Bill than that he was rendering most material service to the Committee by the course which he took on the various clauses of the Bill. But with regard to the imputation on the Committee, that they passed these clauses because they

*Mr. G. W. Hastings*

were influenced by the hon. Member for West Belfast, I would ask the House to consider what it means. We are a Committee of 11, and it means that 10 men of honour, and I hope of some reputation, Members of this House, did what they ought not to do, and were in some way led aside from the path of duty by the representations of one single Member of the Committee. On this question of the Blackrock Road, as on others, I think the House ought to know that the room having been cleared at the conclusion of the evidence, and the matter having been considered, that no opinion whatever was expressed by the hon. Member for West Belfast until I and the other Members of the Committee had given our own opinions upon it. I was, in fact, asked by the Committee to say, as their Chairman, what I thought would be a right decision on the question, and I gave that opinion, and in that opinion the Committee unanimously agreed. It was a unanimous opinion on the part of that Committee, and then we are told—I have no doubt by very respectable gentlemen acting as Commissioners for the Blackrock township—that we passed this clause only because we were unduly influenced by the hon. Member for West Belfast. I hope the House will understand that there is not one word of truth in any of these assertions, which may or may not be made for a purpose as to the ulterior fate of the Bill. The whole of the Committee were unanimous on the point. We are entirely of opinion we did what was right in the matter, and we hope, so far as we are concerned, that the Bill as it stands may pass into law.

(5.20.) MR. SEXTON (Belfast, W.): I want to thank the hon. Gentleman who has just spoken, and the Committee, for the references to myself which, acting as their spokesman, he has made. I wish to inform the House that, before the Dublin Corporation Bill came to be dealt with by the Select Committee, I learned, to my surprise, of the rumour that some Petitioners against the Bill intended to object to my presence on the Committee upon the ground that, in my capacity as Lord Mayor of Dublin, I had acted as a promoter of the Bill. I regarded the objection as unsubstantial—even fanciful—because everyone, friend as well as opponent, was well aware I had no per-

sonal interest whatever in the Bill or in any proposal in the Bill. In fact, I had no interest except such as an Irish Representative should feel in a Bill concerning the welfare of a Municipality in Ireland, and although acting as promoter, in point of fact, I had acted as moderator between the several parties to the Bill, and had promoted the progress of the Bill by making concessions for the benefits of those parties. However, Sir, I determined there should be no doubt on the matter. I was unable to consult the highest authority in the House, because at the time the question arose you, Sir, happened to be absent through illness. I submitted the case to the Deputy Chairman of the House. I had also the advantage of the opinion of the highest legal authority, the Counsel to Mr. Speaker, Mr. Chandos Leigh. I further consulted the right hon. Baronet opposite, the Member for the University of Oxford (Sir John Mowbray), the Chairman of the Committee of Selection, by which the Committee was nominated to serve, and, finally, I laid the question before the hon. Gentleman the Chairman of the Select Committee with a view of directing my action by any expression of the hon. Gentleman or any section of the Committee. Now, Sir, all these authorities agreed that there was no rule and no arrangement of this House adverse to my acting on the Committee in question, and that there was no reason why I should not serve. Some of these authorities pointed out to me that my local knowledge would be of use to that Committee, and they also directed my attention to the fact that this Select Committee, like every other Select Committee of the House, is deliberately constituted for the purpose of affording representation to all parties. Now, Sir, the Bill in question is an Irish Bill, opposed in regard to its main proposals by the Irish Government. I was the only Irish Member upon the Committee of 11. I could not ascertain upon inquiry that any of my Colleagues acquainted with Municipal affairs could spare the requisite time for giving attention to this Bill, which occupied in the result more than a dozen sittings of the Committee; and, although it would have been more convenient and more agreeable to me to retire from the Committee, heavily pressed as I was by other and more

imperative Parliamentary duties, I felt that I had no option in the public interest but to serve. Now, Sir, in regard to my action on the Committee the House has heard the Chairman. I have only to add that I acted throughout for the public interest according to my sense of duty, precisely as I should act, I hope, in the case of any other private Bill in the case of any [proceedings in the House. If there be one Assembly in the world more competent than any other to judge of the ignorance and of the foolish character of the suggestion that I could exert any special influence upon a Committee composed of men of all Parties in this House, that Assembly is the House of Commons itself. But, Sir, as a matter of fact, I never for a moment—and this concludes the case—I never for a moment was under any inducement to attempt to exert any influence whatever. Let me impress upon the House that every decision of the Committee in regard to every point in which these Commissioners were concerned, and in regard to every other point of the least importance whatever—that every decision of the Committee was unanimous. The Committee was composed of six supporters of the Government, four Members of the Liberal Opposition, and myself, a solitary Irish Nationalist. Every decision, as I have said, was absolutely unanimous. When the room was cleared, each discussion was initiated by the declaration of the Chairman's views. Every decision confirmed the view put forward by the Chairman. My humble share in the Judicial work of the Committee was limited to concurrence in the judgment agreed upon by every other Member without exception. With regard to the personal attack upon myself, it is so manifestly inspired by motives entitled to no respect, by mere irrational vexation and spite of disappointed Petitioners, that it does not cause me the least concern. For my part, I should not ask or wish the House to give the slightest trouble on the personal aspect of the case, but I have to say that the case has another and a graver aspect which cannot be so easily ignored. A Committee of this House has been wantonly attacked for the patient and impartial discharge of a Judicial function. The House itself, through its Committee, has been attacked, and in my humble judgment

there has been a gross contempt of the High Court of Parliament—a contempt committed, Sir, not by ignorant or irresponsible individuals, not committed by inadvertence of mere spoken words, but contempt committed by a Public Body in formal and deliberate resolution. I also consider that the resolution of these Commissioners, in which they determined to continue their attack by false aspersions on the judgment of the Committee, to continue that attack in the form of the Petition to the House of Lords, is as gross and wanton an attack on the privileges of this House as was ever known. However, it is not for me, it is for Members of this House of more experience and of greater authority, Members not personally concerned in this case, to say what steps, if any, this House should take to mark its sense of a most impudent attempt to discredit the judgment of a Committee of this House in the exercise of a Judicial function, and to prejudice the proceedings on this Bill when it goes before the House of Lords.

(5.25.) **SIR JOHN MOWBRAY** (Oxford University): I desire to add a few words to what has fallen from the hon. Member for East Worcestershire (Mr. Hastings) and the hon. Member for West Belfast (Mr. Sexton). I wish to assure the House that the Member for West Belfast came to me in the most straightforward way and said he wished to know from me, as Chairman of the Committee of Selection, whether he would be at liberty to take part in the Committee on this Bill. I told him that I considered that this Committee, consisting as it did of 11 Members elected from all parts of the House, differed entirely from an ordinary Private Bill Committee, and that I, for one, could see no objection to the hon. Member acting on it. But I went further. I said that I would consult the Committee of Selection and take their opinion. I did take their opinion. We had a large number present, and the Members were unanimously of opinion that there could be no objection to the hon. Member sitting. I communicated the opinion to him, and said I was sure from my knowledge of his character that the hon. Gentleman would not take part in any question if he was interested in it personally. The hon. Member was placed on the Committee three Parlia-

*Mr. Sexton*

ments ago, when I was sitting opposite. He has been an experienced Member of the Committee, and we thought it was quite right that he should sit on the Committee.

\*(5.27.) **MR. W. H. SMITH**: Perhaps the House will kindly allow me to say only a few words on this question. I am sure the House will feel, whatever political differences divide Members in this House, when they are engaged in political struggles, that we are always anxious to maintain the honour and reputation of any Member of this House when he is unjustly attacked. I am sure the House will see from the remarks which have fallen from the hon. Member for Worcestershire (Mr. Hastings) and the hon. Member for West Belfast (Mr. Sexton) that the latter hon. Member has acted with the most scrupulous sense of honour, and entirely in the public interest all through this matter. I do not wish to follow the hon. Gentleman as to the view and opinions he has expressed with regard to the contempt of Parliament to which he refers. No doubt a contempt of Parliament has been committed by the Commissioners in question. But I think we gain more by treating such observations with the indifference which a consciousness of having done our duty in this House enables us to maintain. If I may express my own judgment on the matter it is that a great mistake has been committed by the Commissioners themselves. But they certainly will not prejudice the passage of the Bill in the other House by the course they have taken. I trust the incident will now be permitted to close with the assurance that the whole House considers that the hon. Member for West Belfast did nothing more than his duty.

#### ROYAL ASSENT.

Message to attend the Lords Commissioners;—

The House went;—and being returned;

**MR. SPEAKER** reported the Royal Assent to,—

1. Commissioners for Oaths Amendment Act, 1890.

**DIRECTORS' LIABILITY BILL.—(No. 60.)**

Reported from the Standing Committee on Trade, &c.

Report to lie upon the Table, and to be printed. [No. 188.]

Minutes of Proceedings to be printed. [No. 188.]

Bill, as amended in the Standing Committee, to be taken into Consideration upon Monday, 9th June, and to be printed. [Bill 300.]

**POST OFFICE OFFICIALS' MEETINGS.**

Copy ordered—

"Of any Order or Regulation with respect to the meetings of those in the employment of the Post Office which preceded the Order now in force."—(*Mr. Arthur Williams.*)

**MESSAGE FROM THE LORDS.**

That they have agreed to Merchant Shipping Acts Amendment Bill, with Amendments.

**MOTION.****POSTAGE RATES BILL.**

On Motion of Mr. Raikes, Bill to amend and regulate certain Inland Postage Rates, and to Amend the Post Office Acts, ordered to be brought in by Mr. Raikes and Mr. Jackson.

Bill presented, and read first time. [Bill 302.]

**ORDERS OF THE DAY.****CUSTOMS AND INLAND REVENUE BILL.—(No. 231.)**

As amended, considered.

(5.31.) MR. SEXTON (Belfast, W.): I beg to commend to the kind notice of the Chancellor of the Exchequer the Amendment which stands in my name. The object is to secure a more equitable distribution of the Liquor Tax, by securing that it is divided among the three countries proportionately to the yield. Such a proposal as this ought to have been made by the Government rather than by a private Member. The only reason given for this distribution of the tax is, that it is on the same lines as the distribution of the Probate Duties proceeded with two years ago. But had the course proposed in regard to this Spirit Duty been adopted in relation to the Probate Duty it would have been violently opposed. There are funda-

mental differences between the two cases. The Probate Duty was strictly an Imperial subvention, while we are now discussing a purely local Budget. Although the fresh burden imposed forms part of an Imperial tax, collected for convenience by Imperial officers, it is in reality a local impost, intended to be devoted to local purposes by a Local Authority. Again, so far as Ireland and Scotland are concerned the charge upon them in connection with this duty is an excessive one and, indeed, an oppressive one. I admit that if the Scotch and Irish contribution to the Imperial Revenue were no more than it ought to be the question would be far more difficult, and I would not feel entitled to move this Amendment. But the condition is not satisfied. Scotland's contribution is excessive, and Ireland's grievously burdensome, and, therefore, I contend that the re-distribution of the proceeds of the additional tax should be in proportion to the yield from each. By the plan proposed under this Bill you are putting a burden on the poorer countries for the benefit of the richer one. Then the local uses of the three countries do not correspond; each country has its own independent local uses, and it is just, therefore, that the money raised by special taxation in one country should be devoted in unimpaired proportions to the local uses of that country. Ireland and Scotland are entitled to liberal treatment in this matter, because not only is their contribution to the Imperial Revenue already excessive, but the new Spirit Tax will be especially burdensome in their case. The Government ought not to forget that Scotland and Ireland are being made victims in consequence of local wants felt in England. If it had not been for the complaints and demands of the English County Councils the Chancellor of the Exchequer would not have found it necessary to propose this tax at all. Therefore, England having been the cause of the imposition of the tax, she ought to be satisfied if she receives what England yields and no more. How will the proposed division work? The Returns which have been presented by the Secretary to the Treasury, whom I congratulate upon his new dignity—for I think the dignities of the State have not been often so well earned—show how

England, Scotland, and Ireland will fare if the proceeds of the duties are divided as the Government propose. England will pay £953,000 towards the duty, and will receive £1,043,000. That is to say, as a result of the imposition of a tax particularly burdensome on Scotland and Ireland—a tax imposed, too, for the convenience of England, that country will gain £90,000 at the expense of Scotland and Ireland. Scotland will pay £196,000 and receive back only £142,000, thus losing £53,000; and Ireland will pay £154,000, and receive back nearly £117,000, losing £37,000 by the transaction. This matter ought, I contend, to be considered separately from the question of the duty of two years ago. Scotland is only moderately wealthy as compared with England, and Ireland is by far the poorest of the three countries; yet they are to lose by this transaction. I may frankly say that I do not view these Returns with unqualified confidence, for, according to another calculation, which appears to be very exact, Ireland will pay £195,000 and lose £77,000.

\*THE CHANCELLOR OF THE EX-CHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): What figures does the hon. Member refer to?

MR. SEXTON: They are contained in a Report in a wine and spirit paper, and evidently are the result of very careful calculations.

\*MR. GOSCHEN: I have not seen that article, but the author may possibly have fallen into the error of not distinguishing between duty paid on spirits manufactured and the duty on spirits consumed in each country.

MR. SEXTON: I shall be happy to send the right hon. Gentleman a copy of the article. I think, on examining it, he will find that this distinction is drawn, and that the conclusion arrived at is that Ireland, as a consumer, will pay £195,000 towards this tax. Now, if the Government give a favourable reception to the Amendment I have to propose, I shall be disposed to accept the basis of incidence stated in the first page of the Return pending the inquiry which, I am glad to say, we are to have regarding the financial relations of the three countries. I may, however, point out that the basis of incidence according to notes in this Return, is founded on principles favour-

*Mr. Sexton*

able to the English and unfavourable to the Irish account. For example, the incidence of taxation in regard to foreign spirits is calculated upon the basis of collection, which is not a sound basis. Consumption is the sound basis, and the calculation according to collection is favourable to England and unfavourable to Ireland. Then the calculation in the case of beer is based on the consumption which is favourable to England. I think we ought to have further statistics upon which to form an opinion. If, as has been suggested in the article I have referred to, Ireland will contribute £190,000 in the shape of the new Spirit Duty, her loss will be £155,000, and that is not a sum which ought to be jauntily disposed of. I am not pressing this Amendment on purely technical grounds; I do so rather upon the large principles of liberal and equitable dealing towards Ireland. These are facts which constitute a special hardship in the Irish case, and which justify an appeal to the liberality of the Government. The incidence of this liquor tax is particularly hard. You are going to hypothecate the whole of Ireland's share for the purposes of a guarantee, which we entirely disapprove, and you are going to lock up and render completely useless a sum of £40,000 for a period the duration of which we cannot limit. If the Chancellor of the Exchequer will give a favourable consideration to the subject-matter of my Amendment, I will not press it; and if the Government will make that concession it will probably facilitate the progress of business, while it will tend to greatly moderate that feeling of indignation felt in Ireland because you are increasing the burden of the most inequitable tax in your system of finance. If the right hon. Gentleman will go on the principle of giving back to each country what it pays, he will avert conflicts which otherwise will wage around this Bill.

Amendment proposed, in page 3, line 9, to leave out from the word "proportions," to the end of the clause, and insert the words "in which they are raised in England, Scotland, and Ireland respectively."—(*Mr. Sexton.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

(5.53.) THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The hon. Member has temperately moved this Amendment, but the Government cannot accept it in the form in which it stands; nor can I see any possible modification of the Amendment which would remove the objections to it. As the Amendment stands it would appropriate this revenue, not according to consumption, but according to collection. That would work gross unfairness, because large quantities of spirits which are made in Scotland and Ireland are consumed in England.

MR. SEXTON: The right hon. Gentleman will have judged from my remarks that I am willing to accept any fair basis.

MR. JACKSON: The difficulty is that it is not possible to get at the exact amount of spirits manufactured in Scotland and Ireland and consumed in England. Some calculations have been made, and the effect, so far as has been ascertained, is that at least £63,000 would be paid in Scotland and £76,000 in Ireland for spirits consumed in England. The hon. Member has sought to separate the proposed tax from the Probate and the Beer Duties on the ground that it is a new tax. But the Beer Tax of last year was also a new tax, and of that Ireland has had the benefit.

MR. SEXTON: How?

MR. JACKSON: It was a tax raised upon an article of ordinary consumption in England, and which was devoted to Imperial purposes. The hon. Member has suggested that Ireland was unfairly treated in the matter of the Beer Duty, but he is mistaken in that. We have taken the best figures at our disposal. In 1886 the quantity of beer exported from Dublin was 390,000 hogsheads, equal to 585,000 barrels; in 1887 it was 405,000 hogsheads, or 608,000 barrels; in 1888 424,000 hogsheads, or 636,000 barrels. On the other hand, it is difficult to estimate the export of beer from England to Ireland, but we have every reason to believe that the figures contained in the Report may be taken as accurate. My right hon. Friend has assented to an inquiry, and that inquiry will show what are the real facts of the case. My right hon. Friend has also said that should it be shown that the basis of distribution adopted is unfavourable to

Scotland and Ireland, it will be the duty of the Government to endeavour to meet the justice of the case. If the result of the inquiry is to show that the general system of taxation and finance as between the three countries is unfair towards Scotland and Ireland, it will be the duty of the Government to rectify the system. This my right hon. Friend has undertaken, and in this I really think hon. Members will admit that my right hon. Friend has gone as far as he could be expected to go.

(6.0.) MR. FLYNN (Cork, N.): The right hon. Gentleman has not touched that part of the speech of my hon. Friend in which he spoke of the basis of the division; he has evaded the whole kernel of my hon. Friend's Amendment. Of course, we receive with satisfaction the explanation of Table 3, relating to the Beer Duty, and I have no doubt, as regards exportation of beer from Ireland to England, the table is correct. But, with regard to the other item in the column—the export of beer from England to Ireland—I think we have reason to question the correctness of the information supplied to the Government, and I hope some more satisfactory information may be forthcoming when next this question comes before us for discussion. It does not lie within my competence to closely follow the figures given from time to time as to the incidence of trade between the two countries, and I should like to have them set forth in a form more easily to follow; but I take the Return of the incidence of taxation supplied to us within the last few days, and I will undertake to prove, as briefly as possible, that on the division based upon the Probate Duty, the allocation of the grant will be most unfair to Scotland and Ireland. I take the figures of collection and consumption, as set forth, without comment or query, from the Return of 1888-9, and, basing the proportion upon these figures, the result works out upon the new tax as follows: England, £891,137; Scotland, £182,371; and Ireland, £146,007. The right hon. Gentleman contends that the new duty should be apportioned on the basis of the division of the Probate Duty; but we contend that this new 6d. tax on an already over-taxed commodity is regarded in Ireland and Scotland with the greatest possible distrust

and dislike, and that if it is imposed at all, you are bound, on the principles of justice and equitable treatment, to divide the revenue so raised in the proportions in which it is raised in the three countries, and I think the Amendment of my hon. Friend ought to commend itself to the sense of fair dealing in the House. I do hope that before we proceed to a Division, or press this matter further, we shall have some more satisfactory answer than we have had from the Secretary to the Treasury. These figures I have taken from this Return can be proved by any hon. Member who will employ his industry for half an hour over it, and the figures cannot be controverted, and they show conclusively that England's proportion of the new duty upon the basis of the Return of 1888-9 should be 73, Scotland's 14·9, and Ireland's 12·1; but you are going to divide the money so raised in the proportion of 80, 11, and 9 respectively, so that the loss to Scotland will be 3·1, and to Ireland 3·9, while England gains 7 per cent. We are promised a Committee to inquire into the incidence of taxation and revenue in the three countries, and we welcome that inquiry, believing it will show there has been great fiscal injustice to Ireland; but, pending the result of that inquiry, surely it is not unreasonable to ask that the proceeds should be divisible in the manner proposed by my hon. Friend.

(6.10.) MR. T. M. HEALY (Longford, N.): I regret that this most reasonable proposition is refused by the Government. I give the right hon. Gentleman full credit for the appointment of the Committee, but this Committee cannot touch this money which will be raised. The only influence of the Amendment of my hon. Friend will be that Ireland will get a sum of £70,000, which, taking the Government Return, we are clearly entitled to. The Secretary to the Treasury was well advised in gliding over the argument of the Chancellor of the Exchequer advanced on a previous occasion, that we are getting more than our share of the Probate Duty. The Government contended in former debate that the reason Ireland does not get her proper share in the new duty is that she has the benefit of the overplus in the Probate Duty; but the Secretary to the Treasury has now

*Mr. Flynn*

only alluded to that by saying it has already been discussed. Now, I would reply to that argument, "Take away your Probate Duty and only tax Ireland on the basis upon which you say the Probate Duty should be given to us; that is, 4½ per cent." But, of course, the Government will not do that.

\*MR. GOSCHEN: I do not quite follow the hon. and learned Gentleman.

MR. T. M. HEALY: I understand the contention is that Ireland contributes 4½ per cent. to the Probate Duty and to the Imperial Revenue, and I say, if that is so, then take this 4½ per cent. as the basis generally of Ireland's contribution to the Imperial Revenue. We should then be saved something like £3,500,000 a year.

\*MR. GOSCHEN: We do not make it the basis.

MR. T. M. HEALY: It is very difficult to fix you to your basis—very difficult to say under which thimble is the pea. My hon. Friend deserves great credit for the skill with which he has brought the matter forward. For myself, I have no financial ability of any kind, and find great difficulty in even adding up the figures, and will not venture to discuss the matter in the manner my hon. Friend has; but, looking at the arguments like a juror, I am quite capable of appreciating the points, and I say my hon. Friend's argument has not been met. We base ourselves on your own Return; we build on your foundation, and we find this difference between what you raise in Ireland upon spirits and beer and the proportion you return; and when we ask for this difference, you meet us with a reference to the overplus paid on the Probate Duty. Then, I say, withdraw the Probate, and recognise the 4½ per cent. which you say should be the basis of Ireland's contribution to the Imperial Revenue; but still you decline. Now, though I am not capable of undertaking a scientific examination of the figures, I can see that my hon. Friend's argument has not been met. It is some alleviation to our complaints that these financial arrangements will be subjected to examination by a Committee, but that does not deal with our grievance in 1890. Furthermore, let me point out that here, as in many former instances, the injustice that is inflicted upon Ireland arises

out of circumstances founded upon the exigencies of England without any reference to the wants of the Sister Country. Because you failed in your Van and Wheel Tax we pay 6d. more per gallon on our whisky in 1890. But we did not get a County Council Bill. Because you have set up County Councils in England and Scotland and need to erect a fiscal system for them, Ireland is called upon to pay this extra taxation! I can quite appreciate your difficulties in attempting to govern Ireland; you cannot do it, and you meet our arguments as to equitable treatment by saying that the whole fiscal arrangements of the three Kingdoms cannot be disarranged, and, sometimes, in an unguarded moment, you advert to the difficulties in setting up a fiscal zone for Ireland. Now, if you simply take the argument of the sword, and impose your taxation upon us, that is intelligible; but if you desert that, and talk about general convenience, we ask how is it that we are always to suffer in the business? While England and Scotland are gainers by a large and generous extension of Local Government, the fact is Ireland, while having no Local Government, has suffered from the extension to the other countries. If the English and Scotch Local Government Acts had not passed, we should not have heard of this extra 6d. upon whisky. We are deprived of Local Government, and we suffer because you get Local Government. I say in all this Budget—I do not accuse the Government of any intention and desire to make it unjust to Ireland, it almost arises out of the necessities of tyranny and under the necessities of the Union—you make your arrangements according to the interests of England, caring nothing about those of Ireland. If ever there was a case to prove the way in which a conquered country can be robbed it is this Budget. We have gained nothing under this Budget except upon tea. I challenge the Chancellor of the Exchequer to give in a compendious form the comparative benefits of his Budget proposals to the people of the three countries. He had a surplus, and we ask for £70,000 from that surplus as the proportion of Ireland's contribution towards it. You give us 2d. on tea, but you put 6d. on whisky. We do not get the benefit of the Inhabited House Duty or any

other remission under the Budget. It is a fair challenge. Show us in a Return the figures giving in each country the creation and distribution of the surplus. I say the past financial history of England and Ireland since the Debt was consolidated, which I take to be the true point of departure in the matter, should come under the consideration of the Financial Committee, and I am sure it will disclose a long course of fraud and plunder.

\*(6.25.) MR. KNOX (Cavan, W.): I do not think the argument in the beginning of the speech of the Secretary to the Treasury had that force he seemed to think it possessed. No doubt a certain amount of duty is paid on whisky in Ireland, which whisky is consumed in England; but that does not necessarily prove the unfairness of my hon. Friend's Amendment. I should say consumer and producer have both to be considered; but the interest of the producers is as important as that of the consumer. By the producer, I do not mean merely the distiller, but every man engaged in the trade, who will suffer from the additional taxation on the article produced. Consider these arrangements for a moment as about to be embodied in a Treaty between two nations, two separate Governments. Suppose we were entering into a Treaty of Commerce; do the Government suppose that any Independent State would consent to such terms as they seek to impose upon Ireland? Many English manufacturers come into Ireland, but there is no considerable Excise Duty on any of them. There is an enormous Excise Duty on goods made in Ireland for the purpose of export to England. If Ireland were in the position of Greece, and able to make a bargain with the Chancellor of the Exchequer, she would obtain very different terms. Greece would not take off the duty on English goods until the duty was taken off goods sent here by Greece; and if Ireland were in the same position, she would maintain a duty on English goods until a similar advantage was given by England to goods of her manufacture. Ireland, however, is not in that position, and the Government propose to put an enormous tax on one of the chief articles of Irish manufacture imported into England, although there is practically no tax upon goods exported from England to



Ireland. Looking at this matter from an international point of view, as I am entitled to do for the sake of argument, the distribution of the taxation is grossly unfair. The right hon. Gentleman the Secretary to the Treasury has said that £76,000 of the extra duty will be paid in Ireland on exports exported to England; that is, 1-20th of the duty now paid on whisky exported to England. If we take the amount at 20 times £76,000, we find that £1,520,000 worth is paid in Ireland in the shape of duty on the article manufactured in Ireland and exported to this country. That is a very considerable sum. The Chancellor of the Exchequer has pointed out that it is not by any means the whole of the tax put upon Irish manufactures in this respect, because there is also a large amount of Irish whisky bonded in England on which duty is paid in England, but nevertheless the duty is put upon an article of Irish manufacture. It is difficult to ascertain what the real proportions are; but, broadly speaking, I think the greater part of the whisky manufactured in the North of Ireland has duty paid upon it on the spot, while the greater portion of that which is manufactured in the South of Ireland is exported in bond. We may assume that this £1,520,000 at present paid on whisky exported to England is only one-half the tax which England puts on the main staple of Irish manufactures imported by this country, and I think that this is sufficient to show the great unfairness with which Ireland is treated. I am glad the Government has consented to the appointment of a Committee to arrange, as it were, a Treaty of Commerce between Ireland and England, and we trust that that arrangement will lead to a settlement on more equitable terms than the Government seems willing to consent to adopt. I trust that my hon. Friend the Member for West Belfast (Mr. Sexton) will press this matter to a Division, for, as I have already said, it does seem grossly unfair that Irish manufactures should be taxed to so enormous an extent when goods manufactured in England and exported to Ireland are not taxed at all.

\*(6.38.) **SIR J. M'KENNA** (Monaghan, S.): I desire to point out to the House that if the Irish people were only taxed for Imperial purposes in proportion to the amount levied by the Income

Tax, the incidence of taxation in that country would be much fairer than it is at present. For if an arrangement were made at the present moment under which Ireland were obliged to raise her present quota of Imperial taxation by a charge under the Income Tax, she would have to raise as much as 5s. 3d. in the £1. This, I venture to say, can be proved to the hilt, that 2s. 6d. in the £1 would suffice for Great Britain; which fact affords a sufficient illustration of the unjust taxation under which the people of Ireland are labouring.

(6.40.) **MR. PARNELL** (Cork City): Before the right hon. Gentleman the Chancellor of the Exchequer replies I desire to say that I think some consideration is due to Ireland in regard to the distribution of this money. It is not a sufficient answer to say that the right hon. Gentleman takes as the proportion of the distribution of this extra tax the proportionate amount which Ireland pays to the Imperial Revenue from all sources of taxation. That is not a sufficient answer to us, because we dispute the justice of the proportion we pay to the Imperial Revenue, for, so long as I can remember, Motions have been annually brought forward by Irish Members, in reference to this question, and they have conclusively proved that we in Ireland are paying at least double as much as we ought to pay in proportion to our wealth, a large amount of this extensive contribution being derived from the duty imposed upon spirits. But, Sir, the claim we make to-day is still stronger than our old claim, because this is a tax which is voted, not for Imperial purposes, but for local purposes, and of the total amount Ireland contributes 16·4 per cent. For this contribution the right hon. Gentleman only purposes to give us 5 per cent., and he justifies the wrong he has done because successive Governments have succeeded for years past in wringing from us a taxation utterly disproportioned to our means, and double the amount we ought to pay as compared with England, and "because we have robbed you in the past we have a right to rob you in the future." This proposal is a fresh injustice, added to the already great injustice under which Ireland was suffering. But even if, for the sake of argument, we were to allow

*Mr. Knox*

the contention of the right hon. Gentleman that Ireland is not being unjustly dealt with in the contributions she makes to the Imperial and general expenditure, we can at least show by the right hon. Gentleman's own figures that we shall only receive one-half of the proceeds of the new tax as compared with the amount we ought to receive. In addition to this, we have to submit to the further outrage that our proportion of the subvention intended for local purposes is to be locked up and not used for any purpose during an indefinite period. I think the figures show for themselves that this is a question on which the Government ought to yield to the claims of Ireland and Scotland. It is an evident injustice that you should use the tax obtained from alcoholic products in Ireland for the relief of local burdens in England, while no portion of it is to be applied to the relief of local burdens in Ireland. Why, I ask, should Ireland not have a fair proportion of this money? Why should you not adjust the relative proportions among the three countries, namely, 61·3 to England, 22·3 to Scotland, and 16·4 to Ireland? I think the claim which has been made by my hon. and learned Friend the Member for Longford is a reasonable one. Surely at a time when you are boasting of your policy of justice and equality to Ireland—nay, more than justice, generosity to Ireland—you cannot, with any face, come to this House and ask us to support you in taxing the Irish people to an unfair extent on a special article of Irish manufacture, while at the same time you only propose to give back to Ireland one half of the proceeds of that taxation as compared with what you give to England. I say you have no right to ask this House to support you in this unjust and unequal treatment, which deprives us of our fair share of the tax raised in such large proportions from the chief article of Irish manufacture.

\*(6.52.) MR. GOSCHEN: I am glad to hear from the hon. and learned Member for Longford that he acquits the Government of an intention of doing injustice to Ireland in this matter. If there is an injustice to Ireland through the manner in which she is taxed, it would have to be redressed by other means than by drawing a fiscal zone. Hon. Members

have spoken of the injustice of the taxation of Ireland, but that subject is too large a matter to be entered upon in a Bill of this kind. In reference to the Committee which I have promised, I do not see what purpose would be served by extending the inquiry as far back as 1817, and, in my opinion, it would be sufficient to inquire into the relative financial position of the three countries as it now exists. The hon. and learned Member for Longford admits, as has always been admitted, that a much larger contribution from the Imperial Revenue goes to Ireland than is proportionately her due. If Ireland contributes more to the Common Fund than she ought to, that is balanced by the fact that she draws more contributions from it in proportion than any other portion of the United Kingdom.

MR. T. M. HEALY: What are they? We never heard of them.

\*MR. GOSCHEN: I have already given the particulars of those contributions, and shown in respect of education how much per child is paid to Ireland, in comparison with population, as compared with the sums paid to the other portions of the United Kingdom.

MR. T. M. HEALY: Why do you not let us manage our own affairs?

\*MR. GOSCHEN: Speaking individually, I am in favour of the Irish nation receiving the whole of the grants, and managing education in their own way. Personally, I do not see any objection to that. Coming to the Amendment that has been moved, the hon. and learned Member for Longford has said that, instead of taking 4½ per cent, as the amount of the Probate Duty which Ireland contributes, the Government ought to take as a basis for distribution the whole of the taxation of Ireland.

MR. T. M. HEALY: What I said was that the Government have selected an unfair basis.

\*MR. GOSCHEN: The basis taken by the Government is 80 per cent. for England, 11 per cent. for Scotland, and 9 per cent. for Ireland. The hon. and learned Member has challenged me to show that Ireland has obtained any benefit whatever under the Budget except under the Tea Duty. Well, there is the Currant Duty

MR. SEXTON: Ireland does not pay more than £5 a year in respect of the Currant Duty.

\*MR. GOSCHEN: I expected the hon. Member would say that. The Government has credited Ireland with so much having been paid as its share of the Customs Duty, and is it now to be understood that the whole of the Currant Duty is paid by England and Scotland? If that be the case, I might withdraw the sum of £500,000 from the account, and say that Ireland contributed nothing under that head to the Imperial Revenue. The hon. Member for Belfast questioned the accuracy of the figures of the Government relating to beer and foreign spirits. He maintained that foreign spirits were more consumed in England than in Scotland or Ireland, because in those countries they produced their own spirits. I am unable to accept the Amendment of the hon. Member. To show hon. Members opposite that I wish to deal fairly with them, I will undertake to have this question of the Beer Duty and the duty on foreign spirits carefully examined into, and if it can be found that our figures are wrong in any respect, and that Ireland has been prejudiced by the distribution we propose, I will move a Supplementary Estimate, the proceeds of which shall be paid to the National School Teachers in Ireland. I propose this in order to rectify any injustice which any error in our figures may have occasioned to Ireland. I must say, however, that I believe our figures are correct. I took the best means I could to have the details prepared with accuracy, but they may be wrong, and therefore it is that I tender this promise to hon. Members opposite. I am unable to accept the Amendment because, in the view of the Government at the present time, the distribution must be made as we propose. But, as I say, if there are any mistakes in our Estimates as to the consumption of foreign spirits or beer I undertake that they shall be remedied, not by striking off anything given to England or Scotland, which would have the effect of disarranging our finance, but by bringing in a Supplementary Estimate in favour of Ireland. This, I think, if not entirely satisfactory to hon. Members opposite, will show them that we have an earnest desire to be fair.

\* (7.2.) DR. CAMERON (Glasgow, College): The so-called concession that the right hon. Gentleman has just announced is the most illogical and absurd proposition that ever came before this House. The Irish Members tell him, as they have been telling him during the course of the last week, that Ireland has been unjustly treated.

\* (7.3.) MR. GOSCHEN: I have not made a concession. I do not know whether the hon. Member was in the House during the major portion of my remarks. If not, I will inform him that hon. Members opposite complain that certain figures which we have given are wrong, and whilst I make no concession on the general question, as we maintain our argument so far as the Probate Duties are concerned, what I say is that if the figures should be found to be erroneous we will rectify them, and will do so in the case of Scotland as well as in the case of Ireland.

\* (7.4.) DR. CAMERON: The illogical and absurd nature of that proposition springs from the fact that these figures were never the basis of the right hon. Gentleman's proposal at all. Many days after the Budget proposals had been laid before the House the Secretary to the Treasury, replying to attacks which had been made on this particular portion of it, quoted certain figures to show that, on the whole, Scotland and Ireland would receive more than their share of the taxes allocated in aid of local taxation. When challenged for particulars, the Secretary to the Treasury promised us that the figures should be more carefully considered, and given in the form of a Return, and that is the history of the document to which reference has been made, but it was not submitted until some time after the right hon. Gentleman made his Budget speech. The right hon. Gentleman understands logical consequences as well as any one in the House, but I must say that in these Debates he has shown much more power of evasion and ability to drag red herrings across the trail of the argument than desire to meet plain arguments by german and sufficient answers.

\* (7.6.) MR. WEBB (Waterford, W.): For my part, in any final settlement of these matters between England and Ireland, I trust there will not be a fiscal zone established between us. What we

desire is simply to remedy defects in the present abnormal condition of affairs. I would point out that there would be no difficulty whatever in making a separate estimate of the Revenue from spirits in Ireland, because during the past 25 years we have had a most careful examination instituted there with regard to the importation of arms and ammunition. There would be nothing in the examination of vessels for spirits carried between the two countries which could not be covered by the present system of examination. To show the thorough nature of the search instituted in Irish ports, I may say that, in my own case, after having been on a visit to America, and having brought away with me a few relics from the scene of the battle of Gettysburgh, I had the greatest difficulty in getting them into Ireland. The right hon. Gentleman says we enjoy certain advantages in regard to taxation. Well, we enjoy nothing whatever in the matter of grants we receive. The money we receive for education is given us for a system which is altogether out of accord with the wishes of the people. That for the Constabulary is for a military system, which we hate and abhor. It is necessary, as far as the Government are concerned, that we should have those grants in order to keep up an appearance of fairness; but the Irish people certainly do not "enjoy" them, and we claim to be put upon a footing similar to Scotland.

(7.10.) The House divided:—Ayes 152; Noes 87.—(Div. List, No. 105.)

(7.20.) Amendment proposed,

In page 4, line 5, at the end of Clause 9, to insert the words "but nothing in this section shall prevent a person from holding more than one such excise licence in his own name."—(Mr. Jackson.)

Question proposed, "That those words be there inserted."

MR. T. M. HEALY: It seems to me that these words render the original objects of the clause entirely nugatory.

(7.21.) MR. JACKSON: Exception was taken to the clause as it stood. I did not think the objection was a sound one, because I believe the clause really carried out what was intended, but it was thought the words used might be read as preventing an individual taking out more than one licence, and the

object of the present Amendment is to make it clear that a person can hold more than one excise licence in his own name. Unless that is made clear the clause would be unworkable in such cases as that of Messrs. Spiers & Pond, and those of Railway Companies. There are excise licences for the sale of Patent medicines, and for the manufacture of playing cards, and the Amendment will make it clear that future licences shall specify upon their faces the premises in which the business is to be carried on.

SIR WILFRID LAWSON (Cumberland, Cockermouth): Is it not the case that Judges have recently made very strong statements from the Bench about the great evil that arises from one person having a number of licences for the sale of drink. It seems very extraordinary that the Government now come forward to give an official sanction to that which is understood to be a grave abuse.

(7.24.) MR. WADDY (Lincolnshire, Brigg): This Amendment, if passed, would allow a publican to have any number of licensed houses in his own name, and to obtain compensation for licensed houses in different parts of the country whenever he might choose to give them up. It has over and over again been held in Courts of Justice that one of the great securities we have under the present very faulty system for the decent management and proper government of licensed houses is the actual personal supervision of the man to whom the licence is granted. This will be done away with if one man may have a number of licences in different places. The Government are establishing an entirely new principle.

MR. JACKSON: It leaves the law exactly as it stands.

MR. WADDY: Then all the Judges I have ever heard speak about it have been entirely in the wrong.

\*(7.27.) MR. WINTERBOTHAM (Gloucester, Cirencester): I apprehend that the answer of the Government will be that the words "excise licences" cover the clause, and that the publican's licence is not an Excise licence, but a Magistrate's licence. If, however, the Government really intend by the Amendment to allow public house licences to be given in any number to one person, I hope the Amendment will be opposed, not only by every

man on this side of the House, but by every Licensing Justice opposite. I would point out that even as regards Excise licences they are granted to grocers for spirits, and the Amendment would allow a big grocer to take out half a dozen spirit licences in half a dozen branch establishments in the same town. I hope such a proposal will be resisted on all sides of the House.

\*(7.29.) MR. GOSCHEN : All the Amendment says is, "Nothing in this section shall prevent" &c., and I do not see that it alters the law at all. It really does not authorise a person to hold more than one Excise licence. The Amendment, however, appears to excite some apprehension, and we will not press it.

■ Amendment, by leave, withdrawn.

(7.32.) MR. JACKSON : I desire now to move in Clause 14 to omit the words "payment of the allowance is made," and to insert "the certificate is granted." When the Bill was in Committee the question was raised whether it was necessary for the Inland Revenue Officers to have power to enter premises up to the time when payment of the allowance was made. It was suggested that the power should be limited to the time when the certificate was granted, and this Amendment is brought forward with the object of carrying out that suggestion.

Amendment proposed, in Clause 14, page 6, line 19, to omit the words "payment of allowance is made," and to insert the words "the certificate is granted."

Amendment agreed to.

(7.34.) MR. T. M. HEALY : I rise to complain that the Government have given no consideration whatever to the arguments that were put forward respecting Clause 24. I see the English Solicitor General in his place, and I challenge him to define the word "assessment" as used in this section. I say an assessment is a personal assessment, and implies personal responsibilities and liabilities. I raise this question simply in my Imperial capacity. It is not a National question. The clause may produce possible injustice to the executors and administrators of poor persons. It is a remarkable thing that though we have had the Income Tax for the last 50 years it has never hitherto struck anybody that such a clause was necessary.

*Mr. Winterbotham*

I think it is a pity that, for the sake of stopping some twopenny-halfpenny leakage which may have accrued to the Treasury, such a clause should be inserted. It would be some mitigation of the section if it were confined to estates of over £1,000 a year. I would point out that Income Tax is collected sometimes at Petty Sessions, sometimes at Quarter Sessions, sometimes in the High Court. You might, however, almost have a Chancery suit arising under this clause, which has been drawn in the most unscientific and hasty manner. Of course, the Crown debt, which is here referred to, will take precedence of all other debts; but notwithstanding that the Government wish to come down upon the poor widow, perhaps, or the orphan, and make them personally liable, the assessment might be an assessment made at a time when the man was prosperous, and his circumstances at the date of his death might be very different. I can really see that there are endless objections to this clause—it is thorny with objections. The Government seem to be in a needless hurry in this matter. We have been half a century without this clause; surely, therefore, it can wait until the next Budget. The clause is inadequately drawn—it is drawn without regard to what are really the facts and problems of life. It is drawn without regard to the difficulties of the situation, and I certainly think it might very easily be dropped out of the Bill. How is it going to work? You surely would not follow a man into his grave, and make a poor woman pay a few pounds which might have been due in the man's lifetime. I can see the difficulties in this clause are endless, but in this House nothing small receives consideration. There is no way of getting anything little attended to. I do not suppose the Government will give this matter the smallest attention, but I beg to move the omission of the clause.

Amendment proposed, "to omit Clause 24."—(*Mr. T. M. Healy.*)

Question proposed, "That Clause 24 stand part of the Bill."

\*(7.43.) MR. GOSCHEN : The hon. and learned Gentleman says there is no hurry in this matter. This clause has been before the public and the House, in which there are a great many legal Gen-

tlemen, and they have had plenty of time to look at it. With the exception of the hon. and learned Gentleman, no one has taken exception to the clause. The hon. Member seems to think that no attention has been given to it and that it is simply the drafting of the Department. A very high authority on law, perhaps equally as high as the hon. and learned Member for Longford, namely, the Attorney General for Ireland, has expressed himself satisfied with the clause.

MR. T. M. HEALY: Because he is satisfied with getting the money for the Government.

\*MR. GOSCHEN: The hon. Gentleman is entirely mistaken. I asked my right hon. and learned Friend whether he saw any objection to the clause. The hon. Gentleman must not presume that he is the only person in the House who has any anxiety as regards administrators, Trustees, and others. Depend upon it, if there had been all the dangers surrounding the clause which the hon. Gentleman fears, we should have heard a great deal more about it from solicitors and others. I must ask the hon. Gentleman to agree with other Gentlemen equally as conscientious as himself in the passing of this clause.

MR. T. M. HEALY: You did not answer my arguments though.

(7.44.) MR. HUNTER (Aberdeen, N.): There is one blot in the clause which I think the Government might put right. In the last two lines it is said that the assessment shall be made upon the executors and administrators, and then that the amount shall be payable out of the estate. There is an ambiguity which it would be well to remove. As the clause now stands, it is possible that a claim might be made against the executors personally. That doubt, however, can be removed by the insertion of a single word—namely, “only” after “due,” so that the clause would read “due only from and payable out of the estate.”

THE SOLICITOR GENERAL (Sir E. CLARKE, Plymouth): Really the Amendment is not necessary. It is perfectly clear as it now stands. The amount has to be paid out of the estate. No claim can be made against the executors or administrators apart from the estate.

(7.47.) MR. P. POWER (Waterford, E.): I wish the Government would explain what has made this clause necessary. If it is necessary now, I suppose it was equally necessary years ago. A gentleman of high authority told me only the other day that the leakage has been comparatively little. Why the Government should endeavour to make the position of executors or administrators more difficult than it is already I fail to see. So far from making the position more troublesome I think the Government should do what they can to facilitate the duties of the executors. My own experience goes to prove that the position of an executor is not an enviable one. Of course, I regard it as an honour that the late Mr. Biggar should have shown his confidence in me by appointing me as one of his executors, but even in the case of his estate, which was fairly well managed, the trouble is considerable. I hope my hon. and learned Friend will press this matter to a Division.

\*(7.50.) MR. WEBB: I am very glad this matter has been brought up again by my hon. and learned Friend. There are few men of my age who have had to do with more small executorships than myself, and, therefore, I am in a position to urge that the trouble and annoyance is very great. Executors are not paid, and I consider it rather too bad of the Government to throw additional trouble upon them. I can imagine that endless litigation will result from the adoption of this clause, and I must earnestly point out that the remedy is entirely in the hands of the Government. Income assessments are sent out in the early part of the year. I always feel bound to make my return within the time specified, but the Government are very apt to allow people to dally in making their returns. It is hardly fair that they should throw additional work on executors in order to make up for their own laches. Legislation ought rather to proceed in the way of lightening the duties of executors than of adding to them. It is because I believe this clause will add to their trouble that I mean to oppose it.

(7.53.) The House divided:—Ayes 96; Noes 52.—(Div. List, No. 106.)

(8.0.) Amendment proposed, in Clause 26, page 11, lines 1 and 2, leave out all after "shall certify the same accordingly," and insert—

"Provided that the authority, if they are of opinion that the duties which would devolve on the medical officer of health under this section could not be performed by him without interference with the due performance of his ordinary duties may appoint some other legally qualified medical practitioner having the qualification required for office of medical officer of health of the district to make such examinations and give such certificates as aforesaid, and may pay him reasonable remuneration for his services. As respects Scotland the expression 'Medical Officer of Health' means a medical officer within the meaning of 'The Public Health (Scotland) Act, 1867.'"—(*Mr. Jackson.*)

(8.0.) **MR. ESSLEMONT** (Aberdeen, E): This Amendment is entirely in accordance with the wishes we expressed, and I desire to acknowledge our indebtedness to those who assisted us in obtaining this concession.

Amendment agreed to.

(8.1.) **MR. CHANCE** (Kilkenny, S.): In Committee on Clause 32 I draw attention to the fact that the clause enabled the Customs Authorities to render illegal the use of any substances in methylating spirits used under the Spirit Act of 1880, and I asked the Secretary to the Treasury whether this was the intention, and I understood his reply to be that it was not; but as there appeared to be some doubt about the effect of the words, he undertook to look into the matter. I am sure he does not wish to do anything unfair, but it would be unfair for the authorities to frivolously, or without sufficient cause, take from a trade the right to use substances they have legally used since 1880. It is to meet this that I propose to substitute the words "addition to" for the words "lieu of."

Amendment proposed, Clause 32, line 13, to omit the words "in lieu of," and insert the words "in addition to."

Question proposed, "That the words 'in lieu of' stand part of the Bill."

(8.2.) **MR. JACKSON**: I have considered this question with the officers of Inland Revenue. The hon. Member is correct in saying that the intention is not to limit what has hitherto been done; it is intended to take further powers in

reference to making more nasty, if I may say so, this spirit, and so to prevent, as far as possible, the spirit being consumed as drink. The Inland Revenue Commissioners are given the power of approving of the mixing of more nauseous materials in certain cases. I understand there is a difficulty about the use of certain materials in certain trades, and this is to give the Commissioners more power to authorise the use of other substances in addition to those now used. As the result of my discussion with the Commissioners, it appears that the present words fit the meaning and intention of the clause and that the Amendment is not necessary.

(8.3.) **MR. CHANCE**: I am ready to withdraw the Amendment, though I confess I am not convinced that it is not desirable.

Amendment, by leave, withdrawn.

Bill to be read the third time to-morrow at Two of the clock.

## SUPPLY—CIVIL SERVICES AND REVENUE DEPARTMENTS.

### FURTHER VOTE ON ACCOUNT.

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That a further sum, not exceeding £3,929,500, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March 1891, viz.:—

### CIVIL SERVICES.

#### CLASS I.

Public Works and Buildings, Ireland	£	30,000
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#### CLASS II.

United Kingdom and England:—		
House of Lords, Offices .. ..	10,000	
House of Commons, Offices .. ..	10,000	
Treasury and Subordinate Departments .. ..	16,000	
Home Office and Subordinate Departments .. ..	15,000	
Foreign Office .. ..	15,000	
Colonial Office .. ..	8,000	
Privy Council Office and Subordinate Departments .. ..	3,000	
Board of Trade and Subordinate Departments .. ..	25,000	
Bankruptcy Department of the Board of Trade .. ..	—	—
Board of Agriculture .. ..	14,000	
Charity Commission .. ..	7,000	
Civil Service Commission .. ..	7,000	

1633      *Supply—Civil*      {MAY 22, 1890}      *Services, &c.*      1634

Exchequer and Audit Department ..	10,000
Friendly Societies, Registry ..	1,500
Local Government Board ..	28,000
Lunacy Commission ..	3,000
Mercantile Marine Fund, Grant in Aid ..	15,000
Mint (including Coinage) ..	5,000
National Debt Office ..	2,000
Public Works Loan Commission ..	1,500
Record Office ..	3,000
Registrar General's Office ..	7,000
Stationery Office and Printing ..	130,000
Woods, Forests, &c., Office of ..	2,000
Works and Public Buildings, Office of ..	8,000
Secret Service ..	9,000

Scotland :—

Secretary for Scotland ..	2,000
Fishery Board ..	4,000
Lunacy Commission ..	800
Registrar General's Office ..	1,000
Board of Supervision ..	1,500

Ireland :—

Lord Lieutenant and Chief Secretary ..	7,000
Charitable Donations and Bequests Office ..	300
Local Government Board ..	15,000
Public Works Office ..	3,000
Record Office ..	700
Registrar General's Office ..	3,000
Valuation and Boundary Survey ..	5,500

CLASS III.

United Kingdom and England :—

Law Charges ..	12,000
Miscellaneous Legal Expenses ..	8,000
Supreme Court of Judicature and Land Registry ..	65,000
County Courts ..	20,000
Police Courts (London and Sheerness) ..	3,000
Police, England and Wales ..	8,000
Prisons, England and the Colonies ..	90,000
Reformatory and Industrial Schools, Great Britain ..	80,000
Broadmoor Criminal Lunatic Asylum ..	4,000

Scotland :—

Lord Advocate, and Law Charges and Courts of Law ..	25,000
Register House ..	6,000
Crofters' Commission ..	1,500
Prisons, Scotland ..	15,000

Ireland :—

Law Charges and Criminal Prosecutions ..	15,000
Supreme Court of Judicature, and other Legal Departments ..	16,000
Land Commission ..	15,000
County Court Officers, &c. ..	17,000
Dublin Metropolitan Police, &c. ..	12,000
Constabulary ..	250,000
Prisons, Ireland ..	15,000
Reformatory and Industrial Schools ..	25,000
Dundrum Criminal Lunatic Asylum ..	1,000

CLASS IV.

United Kingdom and England :—

Public Education, England and Wales ..	800,000
Science and Art Department, United Kingdom ..	75,000
British Museum ..	35,000
National Gallery ..	3,000
National Portrait Gallery ..	400

Learned Societies, United Kingdom ..	5,000
Universities and Colleges, Great Britain ..	20,000
London University ..	2,000

Scotland :—

Public Education ..	150,000
National Gallery ..	400

Ireland :—

Public Education ..	200,000
Endowed Schools Commissioners ..	100
National Gallery ..	500
Queen's Colleges ..	3,000

CLASS V.

Colonial Services, including South Africa ..	14,000
Cyprus, Grant in Aid ..	—
Subsidies to Telegraph Companies, &c. ..	11,000

CLASS VI.

Superannuation and Retired Allowances ..	100,000
Merchant Seamen's Fund Pensions, &c. ..	5,000
Friendly Societies Deficiency ..	—
Miscellaneous Charitable and other Allowances, Great Britain ..	800
Pauper Lunatics, Ireland ..	40,000
Hospitals and Charities, Ireland. ..	5,000

CLASS VII.

Temporary Commissions ..	5,000
Miscellaneous Expenses ..	2,000

Total for Civil Services      £2,609,500

REVENUE DEPARTMENTS.

Customs ..	100,000
Inland Revenue ..	100,000
Post Office ..	600,000
Post Office Packet Service ..	160,000
Post Office Telegraphs ..	360,000

Total for Revenue Departments      £1,320,000

Grand Total      £3,929,500

(8.8.) MR. SEXTON (Belfast, W.) :

Before the general discussion proceeds, I wish to call attention to the state of business of Supply. We have almost reached the month of June, the end of the Session cannot be considered as very distant, and yet at the present moment not one penny of Irish Supply has been taken except by the summary and comparatively un-Constitutional method of a Vote on Account. If we look back at Supply taken in the Session we find the Government have only obtained British Votes in Class I, and a few casual Votes in addition ; while the whole business of Irish Supply remains undischarged. Two years ago the scandal in regard to the



business of Supply reached such a height that we were obliged to protest with considerable energy. We then received from the Government the most emphatic pledges that in future the business of Supply would proceed with regularity from beginning to end of the Session, and should be taken at least one day every week. Last year, however, there was no attempt to keep those pledges, and the slovenly and most objectionable method of discharging business by Votes on Account was resorted to again and again. Five Votes on Account were taken before the regular business of Supply came to be discharged. At the opening of this Session the pledges were repeated that Supply should be taken every week, and that thus Members should have the opportunity of discussing grievances, and this is the more necessary since the Government have appropriated so much of the time of the House. I have to repeat, in the strongest possible form, on behalf of my hon. Friend the Member for Cork (Mr. Parnell) and my Colleagues our protest against the evasion and postponement of the business of Supply by repeated Votes on Account. Before we proceed further, I have to ask for an assurance that after the conclusion of the holidays the business of Supply shall be taken up, and shall go forward from week to week until the end of the Session, and that Irish Votes shall be taken in their proper order. With regard to Irish Votes, sometimes, no doubt, at the request of individual Members, but more generally for the convenience of the Government, they have been put back until the end of the Session, until the month of July, and as the result we have had a congested mass of Irish Votes heaped together, and taken at late hours of the night, when an attempt to bring forward grievances in a reasonable and systematic manner in which they can be subjected to public scrutiny becomes impossible. I am sure the Chancellor of the Exchequer, financial purist as he is, and predisposed, from the disposition of his mind, to orderly and Constitutional methods, will appreciate the force of my protest. I again ask for an assurance that, after the holidays, Supply shall be taken at least one day in each week, if not oftener, and that Irish Votes shall be taken in their order as they arise.

*Mr. Sexton*

\*(8.15.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I am under the impression that frequently, and not on one or two occasions only, Irish Votes have been postponed at the wish of Irish Members, and in order to suit their convenience.

MR. SEXTON: I have said so. Votes have been thus deferred, but that was in consequence of the irregularity with which Supply has been taken, and Irish Members never knew when it might be necessary they should be present.

\*MR. GOSCHEN: No doubt it would be more agreeable to myself, as Chancellor of the Exchequer, and to the House generally, if Supply could be taken to a greater extent and more regularly early in the Session; but what can the Government or the House do when the discussion of matters other than Supply is conducted by a few hon. Members at such length? It has been impossible to get Supply taken with due regularity, because upon other questions it has been necessary sometimes to allow four nights and sometimes five nights for discussion, and naturally when Debate is prolonged to such an extent it is impossible to proceed with Supply, as otherwise we would desire. I can assure the hon. Member that the Government are perfectly alive to the inconvenience of taking Supply irregularly; but I fear it will be found utterly impossible to give such a pledge as the hon. Member desires. We shall do our best in the matter, and we shall be only too glad if the hon. Member and his friends will assist us by keeping discussion within reasonable length.

(8.17.) MR. J. MORLEY (Newcastle-upon-Tyne): I do not wish to interpose between my hon. Friend and the Chancellor of the Exchequer; but in reference to the right hon. Gentleman's remarks upon the length of discussion, I would say they are not borne out by what happened up to Easter. We have it on the highest authority that up to that time the Government and the House had nothing to complain of. I regret that the right hon. Gentleman should again have made this accusation.

\*MR. GOSCHEN: I was obliged, in answer to the hon. Member, to show how it was we were unable to fulfil our pledges to proceed regularly with Supply.

MR. J. MORLEY: I do not wish to enter into mutual recrimination. I would suggest to the Chancellor of the Exchequer a possible course of meeting the difficulty. If the Government resolve to continue the Morning Sittings on Tuesdays and Fridays after Whitsuntide, it would be worth their while to consider whether they could not take Bills in the Morning and Supply at the Evening Sittings. The Government might well consider the point between this time and to-morrow, and then inform the House of the conclusion they come to. My own experience is that when we get into heavy Bills and proceed with them from day to day in Committee, the Committee gets stupefied with the continuance, and that it would be a relief to Members to alternate the work. It is merely my own suggestion; I do not know how it may be consonant with the view of my hon. Friend or others.

(8.20.) MR. SEXTON: I only wish to say that it was in consequence of the irregularity with which Irish Supply has been taken that the Irish Members, not knowing when it would come on, have sometimes asked for postponement. I approve of the suggestion of the right hon. Member for Newcastle, and think it might be carried out. I have to repeat in the plainest possible terms that we cannot suffer the business of Supply to fall into the condition it has been in at the end of recent Sessions.

\*(8.20.) MR. GOSCHEN: I will consult with the First Lord of the Treasury, and trust that it may be possible to make some reasonable arrangement in the matter to suit general convenience.

\*(8.21.) MR. E. BECKETT (York, N.R., Whitby): I rise for the purpose of calling attention to the position of affairs in South and East and Central Africa, which is undoubtedly a somewhat serious one, and though the pressure of business is considerable, I think I am justified in raising a discussion on matters of great public interest and importance. The Committee is aware that Sir Percy Anderson was recently sent to Berlin to enter into negotiations—happily, for the moment, suspended—with the German Government respecting the delimitation of the frontiers between the English and German spheres of influence and the English and German territorial possessions. It

was obvious that some clearly-defined and generally-recognised delimitation had become necessary if the cordial relations between the two countries were to remain undisturbed. I do not, therefore, wish to say a word in censure of the Government for opening negotiations, and I hope that they may be able to show that the spirit in which they are negotiating is equally unworthy of censure. But their conduct is not free from suspicion, and they are themselves responsible for this Debate. Questions have been asked by many hon. Members as well as myself, to which no satisfactory answer has been received. None of us have desired to press the Government unduly; we have only been anxious to receive an assurance that we shall remain in possession of an uninterrupted right of way from north to south, and territory, either British or which had been declared to be within the sphere of British influence, is not to be surrendered to Germany. But the Government will give us no such assurance; therefore it is reasonable to conclude that they cannot give it, as they would surely give it if they could to save themselves from further questioning and to set the mind of the country at rest. The territories about which most anxiety is felt are the territories extending northwards from the Zambesi along Lake Nyassa, Lake Tanganyika, the Victoria Nyanza, to the Albert Nyanza—Uganda—and in South Africa the territory lying between Bechuana-land the 20th deg. of longitude and the Zambesi. Is it correct to say that these territories "have not yet been geographically defined, and the understanding was general in its terms?" It is true that no hard and fast line was drawn upon the map as regards the territory that surrounds the German sphere of influence in East Africa, though it was understood what that sphere was to be; but in South-West Africa the British sphere of influence was precisely and geographically defined as far as it was possible to define it, and the expression of any doubt or uncertainty on the part of the Government as to the extent and limits of our spheres of influence can only proceed from a desire to have them doubtful and uncertain, so that if any concessions are made to Germany they may be able to tell the

country that there has been no surrender. That device is a little too transparent. Let me ask them this question. Did they, on opening negotiations with Germany, state exactly what territory they considered inalienable and what territory they were prepared to throw into the melting pot? Now, I maintain that we have a right to hold that by far the larger part of the territories in question are inalienably ours. The Under Secretary of State for Foreign Affairs acknowledges that an understanding was arrived at with Germany, and this understanding was embodied in the Agreement of 1887, quoted by my hon. Friend the Member for Leith. That understanding, though in general terms is quite precise enough for our purpose, and on their own initiative excludes the Germans from the territory in the centre of Africa, which was expressly reserved for British influence, but which they now wish to occupy so as to place themselves across our highway to the Great Lakes to the North, which is absolutely indispensable to the successful and profitable issue of our undertakings. Though the Germans are full of friendly expressions their aim and object seems to be the limitation of our expansion, and the expansion of their limitations. Starting from the East Coast and the West, they want to join hands in the centre of Africa, and thus cut us off for ever from realising our ambition to own a continuous and unbroken strip of territory stretching from Cape Colony to the sources of the Nile. I do not blame the Germans from entertaining this design; but any English Government would be greatly to blame which allowed them to accomplish it. This design is still more apparent if we examine the demand we have reason to believe they are making in South-West Africa. There was something more than an understanding arrived at as to our sphere of influence in this region. It was proclaimed generally in December, 1884, and clearly defined by the Under Secretary of State for the Colonies in 1888. Writing in December, 1888, Sir H. Robinson says—

“Looking to the interval that has elapsed, as well as to the fact that the Protectorate has been explained to the Chiefs concerned, the question can no longer be considered as open to discussion.”—

*Mr. E. Beckett*

and was authorised to declare on 4th February, 1889, that Her Majesty's Government are responsible for the peace and prosperity of the vast and important country peopled by Bechuana tribes, and extending from Cape Colony to the Zambesi. One would think that Her Majesty's Government, as well as Sir H. Robinson, considered the question as no longer open to discussion, but the Under Secretary of State for the Colonies told me on 16th May that the “boundaries still remained undefined.” You can hardly call the course of a river or a degree of longitude an undefined boundary, but it seems that even the laws of geography must give way to the exigencies of Secretaries of State. The Under Secretary of Foreign Affairs tried to escape on the ground that the Zambesi and the 20th degree of longitude do not intersect each other. As a matter of fact, two tributaries of the Zambesi do intersect the 20th longitude, and if no surrender were contemplated we should never have been put off with an answer of this kind. Fortunately, I have been informed, not by rumours in the newspapers, which those who remember the disclosures of the *Globe* will not be always disposed to discredit entirely, but from a private source of unimpeachable accuracy, exactly what it is that the Germans are asking for. Taking advantage of the admission, equally unnecessary and incorrect, that the North-West corner of the British sphere of influence has not been geographically defined, they wish to draw a line in a North-Easterly direction from the intersection of the 20° of longitude and the 22° of latitude to the Victoria Falls on the Zambesi. A glance at the map will show the House that the importance of the concession thus demanded can hardly be exaggerated. It would plant the Germans on the banks of the Zambesi, make them a Zambesi Power, bring them a great stride nearer to their Eastern possessions, and give all the country surrounding, and fertilised by, the Upper Zambesi into their hands. The Zambesi overflows every year like the Nile, and “scatters plenty o'er a smiling land.” The products of this rich and fertile country could be transported by the Zambesi to the East Coast, or, more probably, the Germans would prefer to tap it by a railway through

Damaraland from the West Coast. I am speaking now of the country that the Germans would acquire to the North of our sphere of influence, but the proposed line runs through the centre of a country that has been declared to be within our sphere of influence, and is acknowledged to be so by natives, explorers, hunters, concession seekers, in fact, by everyone except Her Majesty's Government. Now I am informed that the opinion of all who know the country of the Western Bamangwato is that in securing it we have secured the pride of Central Africa. There is abundance of water, there is a river navigable for 400 miles, there is grazing land that will carry innumerable flocks and herds, and there is reason to believe that the soil is rich in minerals. When Sir Sydney Shippard was informed that a concession had been granted to an Englishman, he is reported to have said—

"I am delighted to hear it, for in getting that concession he has secured for England a footing in a country of the highest value to her."

But there is another point of great importance. We have promised all the tribes of the Bechuana people our protection. Now, the Western Bamangwato are a tribe of the Bechuana people. Four generations ago the entire Bamangwato nation resided in the neighbourhood of Shoshong. Owing to internal dissensions the nation split into two parts, the one part staying where they were, and where they still remain, and where they live and thrive under the firm and wise rule of Khama, the most intelligent and civilised Chief in Africa, and our very good friend; the other part, following the banks of the Botletle River finally settled down in the Lake N'Gami country, where they are ruled by their Chief, Moremi. The best relations now prevail between the two branches of the Bamangwato nations. The chiefs and head men on either side intermarry with the women on the other, and these tender ties bind them so close together that, when the Matabeles invaded N'Gamiland, Khama dispatched a force to Moremi's assistance, which largely contributed to the total rout of the Matabele warriors. If we give the Germans what they are now asking for we shall divide a nation that is practically one, by placing one half under one rule and one half under another, they being

perfectly contented with our rule, and regarding the Germans with aversion and dread. By so doing we should excite the indignation of Khama and the whole Bechuana nation, whose faith in our promises and protective power will be rudely shaken, and who will change the attitude of loyalty and fidelity they have hitherto preserved for one of suspicion and distrust. The presence of the Germans in Bechuanaland will expose us to a new danger, which, by shutting them out, we can easily avoid. A few years ago a very remarkable article was published in Berlin, which attracted a great deal of attention. The purport of the article was that the Dutch and the Germans were practically of the same race, language, and religion, and that the difference between them in these respects was so small and superficial, that, virtually they might be considered as brothers. Now why, it was asked, should not they combine to drive the English out of Africa? Of course, a few years ago such a project was absurd; would it be equally absurd if the Germans were established in Bechuanaland? They would still be a long way away from the Transvaal, but they would be divided from it only by Bechuanaland, and if the Bechuana grew dissatisfied with our rule, and came to regard the Germans as the conquering race, they might place themselves under German protection, and one day we might be confronted with a German Dutch Alliance, which would threaten not only our dominion but our very existence in South Africa. Such a danger is remote, but why should we not keep it remote? Why should we invite it to come nearer? My last and strongest objection to the proposed extension of German territory in this part of Africa is that it would completely bar our expansion to the North-West. There is a vast piece of territory running from Bechuanaland to the Congo Free State, at present left white on the map—I do not want it all to be painted red or painted blue. Let Germany have her share, by all means, but let us also have ours. We do not wish to exclude Germany, but still less do we wish to be excluded ourselves; and to set a bound and limit to our own expansion northwards, while, at the same time, we hand over to Germany a large slice of our own possessions

would put a coping stone to the vast pile of blunders we have so assiduously laboured to rear in South Africa. If I did not know for a fact that Germany had made this demand, and if I did not gather from Ministerial answers that it was being seriously entertained, I would not have believed that any English Government, certainly that no Conservative Government, could contemplate such a surrender. It is said that the Germans know how to ask. I hope Lord Salisbury will know how to refuse. We have allowed the spheres of German influence to grow at a prodigious rate. In 1883 the Germans had but *Angra Pequena*, a territory comprising 150 square miles; now their sphere of influence extends over territories larger than India, and it must be remembered that nearly every mile over which they rule was discovered, explored, given to the world, and opened for civilisation by Englishmen. Truly it may be said of them they reap where they have not sown, and gather where they have not planted. There are those who view the expansion of Germany almost with gratification, and who believe that she will not be able to maintain her position, and that, if we find ourselves cribbed, cabined, and confined, we have only to step in and take what we want. That is a very comfortable theory, but it might not work very well in practice, and certainly no statesman ought to act upon it. We should like to have *Delagoa Bay*, but what chance is there of our getting it? Our Colonial Empire has lost some of its brightest jewels by this heedless abandonment of lands that were once ours, and might have been so still. Mr. Stanley, in his speech at the Guildhall, and again last night, drew a vivid picture of the value of the lands we had allowed to pass away from us, and in burning words rebuked our apathy and indifference. Depend upon it that now, as in 1878, and in 1884, his words are being carefully weighed in Germany, where they are fully alive to the advantages to which we so foolishly and obstinately shut our eyes. Their Government though, from time to time, it has expressed its disapproval of colonial enterprise, has invariably backed up the German African Companies, and in consequence of this backing Mr. Stanley pointed out that our English Companies

*Mr. E. Beckett*

cannot compete with the German on equal terms. He adds, ominously enough, that if there is to be any more surrender he should "advise the British East African Company to retire altogether and give it up as a bad job." He has told us that he has come back with his pocket full of Treaties. We have now a new opportunity, and perhaps the last. Shall we throw it away? Shall we back up Mr. Stanley, shall we firmly resist German encroachments, or shall we throw up the sponge, declare that the mission of England as a colonising power is ended, and sit idly looking on, while the Germans absorb territory that might, in the future, sustain and nourish millions of our race? Lord Salisbury said lately—

"Dominion is not an unmitigated luxury: it carries with it duties, burdens, obligations, and dangers. I hope we shall not be reduced into undertaking obligations which are beyond our strength to perform."

These words savour of surrender. They have a weary ring about them. They are the words of Hercules after he has performed his labours, and wishes to repose in the lap of Omphale. They do not breathe the spirit in which Clive and Hastings won India, in which Wolfe drove the French out of America, in which Chatham laid the foundations of our Colonial Empire. General Caprivi recently pointed out that the Germans had neither the men of experience nor the command of money that we have, and yet he said that "Nothing is left for them to do but advance." If those words are true of Germany, still more are they true of England. Yet we do not ask the Government to send out expeditions; we only ask them not to give up what individuals have won, and to let the pioneers of English civilisation feel that they have the strong arm of the English Government behind them. And, as a set off to Lord Salisbury's words, I will conclude with a quotation from the same remarkable article I referred to before, which has exercised so much influence over the German mind—

"A new Empire, possibly more valuable and more brilliant than even the Indian Empire, awaits—in the newly-discovered Central Africa—that Power which shall possess sufficient courage, strength, and intelligence to acquire it."

THE CHAIRMAN: Does the hon. Gentleman move?

(8.45.) DR. TANNER (Cork Co., Mid): I hope the hon. Gentleman will not.

THE CHAIRMAN: Order, order?

DR. TANNER: On a point of order, Sir, should I not be precluded from speaking on public works if the hon. Member moved this Amendment?

THE CHAIRMAN: Yes; the hon. Member should have risen before.

DR. TANNER: I had no opportunity, Sir.

THE CHAIRMAN: The hon. Member might have intervened at the commencement of the speech of the hon. Member for the Whitby Division.

Motion made, and Question proposed, "That the item of £15,000 (Foreign Office) be reduced by £500."—(*Mr. Ernest Beckett.*)

(9.13.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

(9.16.) MR. BUCHANAN (Edinburgh, W.): Sir, I desire to make a few observations on the subject on which the hon. Member who has just spoken addressed the House, namely, South Africa. I cannot entirely agree with all he said. It seems to me a great misfortune that we have had so few opportunities of discussing foreign affairs, and obtaining information from Ministers with regard to them. I do not myself believe very much in the system of secrecy in regard to foreign affairs which obtains in certain quarters. I can quite understand that it is not desirable to discuss the details of pending negotiations, still there are occasions when discussions would enable Her Majesty's Government to understand the opinion of the country, and thus strengthen their hands in negotiating with foreign Powers. I think we have suffered in the past owing to the absence of discussion—particularly with regard to our interests in Africa. I think if the public had been fully aware of what was happening, we would not have had the scramble for South Africa which has been spoken of. I think with regard to the question of Lingshan, five or six years ago, that our action there would not have been taken had the country possessed full information on the subject. Again, I think we would have avoided

many of the difficulties we have experienced with Portugal had we possessed full details of the view taken by Her Majesty's Government. We find now that all along Her Majesty's Government have taken a much clearer and more decided view with regard to our interests in Nyassaland than has ever been stated in the House of Commons. And I think the discussion we are having to-night in regard to our negotiations with Germany and England will be of service to Her Majesty's Government and to this country. I am not going to make an attack on Her Majesty's Government, such as was made by the hon. Member who introduced the Motion. I think that Lord Salisbury, in dealing with African affairs, has looked far too much to our connection with Germany as a European Power. He has appeared too ready to sacrifice our interests in Africa to our interests in Europe. I think that to be a great fault in his conduct, and worthy of attention. I do not adopt the strong language of the hon. Member who moved the reduction of the Vote, nor could I agree with the line which he wishes Her Majesty's Government to adopt in Africa. There are three questions brought forward in this Motion—our relations with Germany with regard to Nyassaland territory, with regard to Nyanza territory, and with regard to Lake Nyanza. The discussion with regard to Lake Nyanza is, undoubtedly, caused by the rivalries of the two trading companies, and the German Company is backed up by the German Government. What I would impress upon Her Majesty's Government is this, to take care that no limitation should be placed on the commercial development of our subjects within the control of the African Company. We should see that they have a free hand under their charter, though I do not think it is incumbent upon us to go further than that. We should see that they get the full benefit of the concessions they obtain, and that they are perfectly free to open up trade, if they can, right from Central Africa to the Coast. I should like, if the Under Secretary for Foreign Affairs could find it, some information with regard to Nyassaland. On a former occasion he told us that it was impossible to make a definite statement on the subject, but I think now he may be able to tell us something

with regard to Nyassaland and the Shiré River. There are impediments placed in the way of our subjects having connection between the outside world and their settlement, and I think that Her Majesty's Government should tell us whether they are endeavouring to arrive at a settlement of our position in that country on a certain and permanent footing. Lake Nyanza covers the water basin of the Zambesi and the Congo, and freedom of connection would, undoubtedly, be of importance to the inhabitants of the regions around the Lake. The Zambesi should be a free waterway to the interior of Africa from all parts of the world. I maintain the same, also, with regard to the Shiré. It does seem to me very advisable that Her Majesty's Government should look towards the future development of Africa, and that, in the interests of our commerce, they should endeavour to make a clear and free route for the outside world to the interior of Africa. Not only the Zambesi, but the Shiré River should be free. In 1887 there was a correspondence between Lord Salisbury and the Authorities at Berlin with regard to certain encroachments made by the Germans upon the British sphere of influence. Negotiations took place, and the result was that the 22nd degree of east latitude was taken as the line between the British Protectorate and the Protectorate of the German Government. Therefore, in our negotiations with the German Government for the maintenance of our boundary, we have this precedent to go on. That, however, is a matter of detail which I do not wish to enlarge upon. What I would urge on Her Majesty's Government is that, as to the question of South Africa, we ought to have regard primarily to the opinions and wishes and desires of our fellow subjects of the Cape Colony and other colonists in South Africa. Our interests in this part of the world are comparatively slight and distant. They are also interests more or less individual, but to the people living in South Africa itself—to our colonists at the Cape and elsewhere in British South Africa—these matters are very much more vital. South Africa is their country and their home, and to its free expansion and development in the future they are bound to look with natural ambition and very sincere interest. I

*Mr. Buchanan*

think we should look to carrying out what are beyond dispute the views and opinions and aspirations of our colonists in South Africa. We should take care that their commercial freedom is in no way retarded or impaired by our political arrangements with Germany; that there should be what we should all like to see, namely, a waterway, free to all the world, up the Zambesi to Tanganyika and Nyassa; that, as regards what is called South-East Africa, we should remember that our interests are small as compared with those of the colonists, and that it should be a *sine quâ non* in any negotiations with Germany that we should make certain that Cape Colony is with us.

\*(9.36.) THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): It is always an uncomfortable task to urge on the House abstinence from discussion of matters of public interest, and it has been my lot more than once to be reproved for exhortations of this kind. I think, however, I may be excused if I offer to the Committee some considerations to show why a prolonged discussion on this subject at the present time is undesirable and will serve no useful purpose. I do not undervalue or deprecate the legitimate aspirations of my fellow countrymen, and I am not wanting in admiration for the sacrifices of those who have made the discoveries which have opened a Continent to civilisation and paved the way for the colonising efforts of our own and other nations. I hope that the mission of our countrymen is not yet fulfilled, but that further regions will be opened by them to civilisation and Christianity. What I say may give offence to some, but I am quite sure that the feeling I have expressed is deeply seated in this country, and that there are many who are ready to sacrifice themselves in those great efforts which in times past have conferred such honour on our nation. I cannot agree with the hon. Member who has just sat down that the object of negotiations conducted by the Government of this country is best promoted by public discussion while such negotiations are in progress. It places the Government in this position—either they must subscribe to or deny propositions. If they commit themselves to those propositions it is evident that they must stand by

them, while, on the other hand, if they deny them they may be supposed to be indifferent to objects which many are in favour of. Therefore it is manifest that we must be silent, because it is impossible we can reveal our position or defeat our own efforts by premature declarations. I presume that the hon. Member who has moved the reduction of the Vote does not blame Her Majesty's Government for having entered into negotiations for the delimitation of our sphere of influence in South Africa. It is evident that were the nations of Europe are competing for influence in the comparatively untrodden regions which offer markets for our commerce and colonisation there must be rivalries and jealousies, and it is to the highest degree important that nations which have much in common and which wish to act fairly in regard to their respective claims should desire as far as possible to avoid friction and jealousy by timely settlement of their interests, so that they can move forward on their new missions on parallel lines. It is said that no satisfactory answer has been given as to the progress of the negotiations, but it is impossible to enter into the questions involved while the matters are under discussion. This country has interests to maintain, and I trust Her Majesty's Government will not be slow to maintain them, and when the negotiations are completed every explanation will be given to the House. Reference has been made to rumours which are current as to sacrifices which have been consented to after discussion by Her Majesty's Government. Some of those mentioned have not reached me, and I am quite sure that they derive no authority from those who are engaged in confidential negotiations on behalf of the English and German Governments. As the Prime Minister said the other day, it would be very convenient, no doubt, if Parliament sat in secret Session, for then Her Majesty's Government could communicate to hon. Members, who have the interests of the country as much at heart as ourselves, the details of pending negotiations, but that cannot be done. My hon. Friend has talked about land passing out of our possession. Some people talk and write about parts of Africa through which some of our enterprising fellow-countrymen have travelled as if it was our inheritance. While I

hope the Government will not be behind-hand in Africa any more than elsewhere, people really must not talk as if we have an indefeasible right to the country. We must allow other nations to have similar aspirations to our own. What the Government and the House of Commons have to see to is that our interests are not neglected. Where we have acquired rights and asserted them we should not lightly give them up; but the Government are dealing with a friendly Power, and negotiations are going on on terms of mutual respect and confidence, which are engendered by past experience and by the remarkable unanimity which has attended the proceedings of Great Britain and Germany in the recent operations on the West Coast of Africa. The Government has a full sense of the claims which our fellow-countrymen possess on account of their past enterprise. They are not unmindful of the claims which our commerce has to legitimate expansion, and these objects are entirely consistent with a due respect to similar objects on the part of neighbouring States. The Government are endeavouring by the delimitation of spheres of influence to obviate causes of jealousy and friction in the time to come. The security that the country and the House has as against the Government is that the result of those negotiations cannot long be concealed, and if in any way the interests of the country are neglected a speedy retribution will attend those who have so neglected those interests. Having that speedy review and verdict before our eyes, the Government, hon. Members may feel sure, will not be likely to neglect the great interests which they, in common with all their fellow-countrymen, have at heart. The hon. Member for West Edinburgh has also referred to the interests of the region further south in the neighbourhood of Lake Nyassa, where the hon. Member's countrymen and my own have done good work in the cause of civilisation and Christianity. The Government, I think, have shown of late that they are fully alive to the rights which our fellow-countrymen have obtained there by being first in the field. They have maintained their right to the free navigation of the Zambesi River. They have refused to allow it to be closed against us. They have claimed that our fellow-countrymen in the Shiré Highlands and



on the shores of Lake Nyassa shall not be endangered by the invasion of any other Power, and necessarily it will be their object to obtain and secure and retain access to other regions where we have interests. I would ask the Committee to show the same reticence and forbearance the Government are so sensible of in past years, which I hope they have not been unworthy of, and I can assure the House that the confidence I now ask from the Committee will not be misplaced. In that sense I deprecate prolonging the discussion.

(9.48.) MR. MUNRO FERGUSON (Leith, N.): I am sure we all trust that nothing will be said in these discussions which will have the effect of hampering the Government in these discussions. I am sure the delicacy of the situation will be so appreciated on the Front Opposition Bench as to prevent any prolonged discussion of the subject from that quarter of the House. But there are some of us who think that an opportunity for the expression of individual opinions would by no means hamper the hands of the Government. I can quite understand that the Foreign Office is not able to throw any light on the subject at present; still, the German Foreign Office is not so reticent as our own. The present Chancellor in Germany and his illustrious predecessor have never found any difficulty in expressing their views as to the conduct of Foreign Affairs by Germany, and I believe, from what I have seen, discussions in the Reichstag and in the French Chamber, whether upon Africa or upon Newfoundland, are more frequent and prolonged than the discussion of foreign affairs have been in this House during the last few years. In my opinion, the language used on this subject by certain organs and by the great explorer who has recently returned to this country has done more to revive the doctrines of the old Manchester school than to forward the objects which they themselves have at heart. The question before us seems to be how far unoccupied land shall pass into the absolute possession of Foreign Powers and out of the sphere of the legitimate commerce and enterprise of Great Britain, and of the world in general. We desire to have some reassurance that our actual interests in Africa are not in peril. There has been a good deal of anxiety as to the expedition which has recently started,

*Sir J. Ferguson*

and which includes in its ranks Emin Pasha. We have also to consider the future of our great African possessions which, when they are one day formed into a dominion, will be disposed to ask how far the course now adopted by Her Majesty's Government has affected their prospects. The policy of the Government is watched at the Cape with no less interest than in England. I do not share the fears of my hon. Friend who moved this Motion with regard to the Cape. The Cape will hold its own by its own enterprise, and if it stood by itself it would have little to fear either from the Dutch or the Germans. We wish also to know what lines are being drawn to further confine enormous areas to the exclusive enjoyment of Foreign Powers. Those areas have, to a large extent, been explored and partially developed by British and especially Scottish enterprise. The other day some interesting correspondence between Lord Salisbury and the Ambassador at Berlin was published regarding the delimitation between the German and the British sphere of influence in the neighbourhood of Lake Nyanza. There is a line leading from Lake Nyassa to the south end of Lake Tanganyika, and known as the Stephenson Road. The large region of which that road forms the centre has been developed and, to some extent, civilised by missionaries. Our position in that district was preserved by the action taken by Lord Salisbury last spring; but if it has been preserved from Portugal in order to be handed over to Germany, I think it will be hard to justify the action of Her Majesty's Government, because in that case the deduction would certainly be that what has been got from bullying the weaker Power has been given up by knuckling down to the stronger Power. It seems to me that the question of maintaining the line of the Stephenson Road is one of the very greatest importance to our interests in that portion of Africa. Then I would ask, what is the use of a sphere of influence if that sphere is not to be maintained? The result of the spirited foreign policy of which we have heard so much seems likely to be the sacrifice of our commerce in those regions. We have a right to know whether the Government, in the course of their negotiations, intend to permit

the exclusion of British interests from the areas I have mentioned. In any event, by making this protest we lay upon the Government the responsibility of the negotiations, and there is no doubt that the country will require from them a strict account.

(10.2.) CAPTAIN BETHELL (York, E.R., Holderness) : I have been a good deal disturbed by the remarks which have been going about as to the possibility of the delimitation of the great region south of the Zambesi being re-opened in the course of the present negotiations. There is south of the Zambesi a noble Empire which will some day be, and which ought to be, an Anglo-Saxon Empire, as it is ours by right of conquest and by right of the work we have done there. It was a stupid blunder when Damaraland and Namaqualand were given up, but stupid as was that blunder, we have hitherto kept the trump card in our hands, and it will not do to commit another stupid blunder by re-opening the question of the German boundaries south of the Zambesi. I think we may reasonably expect from my right hon. Friend an assurance that there is no intention of re-opening that question. Such an assurance will remove a great deal of misapprehension on both sides of the House.

(10.6.) MR. A. O'CONNOR (Donegal, E.) : I hope, for totally different reasons from those which have been put forward, that the Government will afford the House and the country some more information than they have vouchsafed up to the present. I have listened to the discussion, and during its progress I have been forced to realise the feelings of Gil Blas when he found himself in the cave of the robbers. When they conducted him to his first exploit they exhorted him to go in for a spirited foreign policy, and when he picked up the wallet of the padre he had robbed no doubt he considered it was his by right of conquest. If the speeches which have been delivered this evening are to be taken as an indication of the views of hon. Members respecting the morality of the present position, it seems to me that this House is adopting a code of morality very different from that which is found in the Bible, and in the mouths of Christian Missionaries, whose work hon. Members are so anxious to help forward.

In that old Book, which is much more frequently referred to than read, there is a precept that you shall not covet your neighbour's goods. Now, I should like to know whose goods these are which you propose to divide with Germany and Portugal, and other despoilers in Africa. We were assured by the Under Secretary for Foreign Affairs some nights ago that all these matters were being discussed in a friendly spirit at Berlin, and that the important interests involved would not be prejudiced by abstention from discussion at the present time. Whose are the important interests involved? They are not the interests of Great Britain, or Germany, or Portugal. They are the interests of the innocent inhabitants of Africa, and I say that Germany, and Great Britain, and the other European Powers are acting the part of the bully and robber. You may talk about your "diplomatic relations;" this is only a large phrase to cover what is essentially immoral, unjust, cruel, and cowardly. This House proposes to deliver up Africa to the interests of Chartered Companies of adventurers—men who pretend to be promoting the interests of civilisation and the Bible, but who are nothing more nor less than a pack of robbers. I am very much afraid that there are Members of this House who are not altogether personally disinterested in some of these schemes. It would certainly be well if we could obtain some further information as to the intentions of the Government. I suspect, if Germany stands firm, Her Majesty's Government, instead of sending an armed expedition or a temporary message, will discover some *modus vivendi*, and if the robbers should fall out the Africans would get a good many goods restored to them. But I want to know, for my own satisfaction, and, as I believe, for the satisfaction of a large portion of the population of this country who have no interest and no sympathy with your robbing expeditions, what it is the Government propose to do in Africa, and what is to be the position of these unfortunate people, with regard to whom you say you have extended your sphere of influence. Suppose the inhabitants of Africa held a palaver and decided to divide this country into two portions, one tribe having the land from the English Channel to the Thames, and another tribe having

the land from the Thames to the Humber? What would be your view of the matter? You would ridicule them, and say they had no possible right. Perhaps they would want to spread Mahomedanism. I have been rather proud to consider myself a Christian, but I am rather doubtful as to the sort of Christianity you are likely to spread in Africa. It is all very well for hon. Gentlemen to urge the Government to maintain the prestige of the Empire, and to secure their sphere of influence. It would be more worthy of a great Government to show some ground for the aggressive policy which has been adopted with regard to Africa, to show that they have some right to go and claim a sphere of influence and territorial possession in a country with which they have naturally nothing to do, than to come down and talk about civilising influences, when we all know that it is nothing more than empty hypocrisy.

(10.12.) SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale): I should like to say a few words about the bullies and robbers who, the hon. Member seems to think, are likely to get hold of Africa. I am in no way interested, financially or otherwise, in the matter, but I wish to deprecate both jealousy of Germany and fear of Portugal. I have been in Africa, and I always hope we shall work hand in hand with all civilised Powers, who may set about the task of reducing Africa to civilisation. [*Laughter.*] Hon. Members laugh, but I think before I sit down they will agree with me that we ought to go hand in hand with others in the work we have yet to perform in Africa. I have no wish to detain the Committee at any length, but I would merely allude to the great works in which I am convinced hon. and right hon. Gentlemen opposite will support Her Majesty's Government, and those works are the suppression of the liquor traffic amongst the native population and the abolition of slavery. The hon. Member for East Donegal may talk of bullies and robbers, but these are the main objects the Chartered Companies have in view in Africa. I hope I may make the same remark as to the Portuguese. Certainly the Belgians are doing good work in the same direction on the West Coast of Africa. Still, I do not think we need in any way endanger the negotiations at present proceeding at Berlin. I understand our

*Mr. A. O'Connor*

technical negotiator is at present in England, but is soon to return to Berlin. I hope he will go back fully assured that, as far as this House is concerned, we are determined to support the British race in co-operation with all other States in doing what is not only to our interest, but also our duty and obligation.

(10.16.) SIR G. CAMPBELL (Kirkcaldy, &c.): I have very often admitted, and I am ready to admit on this occasion, that in matters of foreign policy I have great confidence in the head of the Foreign Office. So long as he does not yield to pressure, as I am afraid he is apt to do, from Members opposite and a few so-called Liberals on this side who adopt a *quasi-jingo* policy, I have every confidence in Lord Salisbury. I entirely agree with the words of wisdom which recently fell from him on this subject—that, after all, Europe is more important to us than Africa. I think it is more important that we should be safe at home than that we should be safe in Africa. At the same time, I quite agree with my hon. Friends that we should work in concert and good feeling with other Powers in Africa. I cannot, however, agree with the hon. Gentleman opposite (Sir George Baden-Powell) that the sole and main object of the Chartered Companies is to stop the liquor traffic and to abolish slavery. That distinguished traveller, Mr. Stanley, has told us that the people who bring noxious liquors into Africa are Europeans. As to the abolition of slavery, I know it is a proper thing to say we are going to abolish slavery. Whenever people want to get up a company in the City, and to make a good deal of money, they always say they are going to abolish slavery. I do not think, however, that we ought to condemn the Government because they are not inclined to go so fast as Mr. Stanley wishes them to go. I think the concessionaires who ask to enter Africa with the Bible and the bullet are people Her Majesty's Government ought not only not to encourage, but ought to be very careful about. Of course, we ought to do everything to spread Christianity, but I think we ought to have at heart first of all the interest of our own country. We have to pay the piper in all these matters, and I think we ought to look to our own interests first.

\*(10.25.) SIR WALTER BARTELOT (Sussex, N.W.): All classes of the

community are waiting to see the action which the Government will take in regard to Africa. It is very well for hon. Members on the other side of the House to make remarks as to our position there, but each of them knows how, with an increasing population, it is necessary to have a growing trade, and therefore we must be anxious, and deliberately anxious, to extend that trade as well as the outlets for the population. We have to meet the competition of nations who are protectionists in the highest degree, and whose only anxiety is to get for themselves colonies which they may keep entirely to themselves, and in the markets of which they may shut out Great Britain. Therefore, I maintain that the question of our position in Africa is one of the greatest importance, especially since if we lost in that country the prestige and power we have asserted elsewhere, we shall have descended from the position which we boast we hold among the nations of the world, and those who come after us will say that we have failed in this day to do our duty. My right hon. Friend was quite right in deprecating discussion when negotiations are going on. But my right hon. Friend has kept us in suspense on many questions. Twice last year I asked questions about our British Indian subjects, and I should like to know, even now, what reparation our British Indian subjects have received from Germany. I certainly believe that if Germany had been in a similar position to that which we occupy she would have demanded and obtained reparation. My contention is, that we should show that we are a great nation by demanding reparation in cases where injury is done to people whom we are bound to protect. I wish also to touch on the subject of Swaziland, as to which the Government had some months ago a Report from Sir Francis de Winton, and as to which we are still waiting with patience for further information. The natives of Swaziland are all in favour of having the protection of this country, and do not desire to have anything to do with the Boer population, or the so-called African Republic. Therefore, I think we should only be doing our duty by maintaining what we have a right to maintain, the sphere of influence over Swaziland, which I hope we shall never give up. There is another question. We had

some islands that were conceded by the Sultan of Zanzibar to the British East African Company. Those islands have been taken possession of by Germany, and I should like to know what action the Government are going to take in the matter?

\*SIR J. FERGUSSON: What islands?

\*SIR WALTER B. BARTTELOT: The islands of Lamu, Mauda, and Patta. If I am wrong in my statement, then I shall be very glad to hear that the Germans have not been there, that they have not hauled down our flag, and are not in occupation. I am sure it will be a great relief to learn that such is not the case. I presume the Under Secretary is aware of the actual state of things, whether the Germans have been there, or whether the place has been visited by a filibustering expedition. It was understood that the Germans were not to interfere to the north of a certain line. This country has rigorously kept to the position allotted to it by the agreement with Germany, and it is only fair to ask that the Germans should keep to the same position as we have undertaken to maintain towards them.

\*(10.32.) SIR J. FERGUSSON: I am glad to be able to give some satisfaction to my hon. Friend on one point. With regard to one of the islands mentioned by the hon. Member—Lamu—the Government entered into arbitration, and the award was in favour of this country. As to the other two islands—Mauda and Patta—the policy at present is one of mutual abstinence.

(10.33.) THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): May I correct my hon. Friend's error as to Swaziland? My hon. Friend is wrong in supposing that Swaziland is within the sphere of British influence. It is a native State that has been administered by a joint European Committee, but negotiations are going on, and it is impossible while the negotiations are pending to say anything. [Several hon. MEMBERS: The negotiations are finished.]

\*(10.34.) MR. J. M. MACLEAN (Oldham): I think the observations we have just heard show that the House is not in possession of that correct information we ought to have. The Under Secretary deprecates discussion at the present time, and now and always we are anxious

to yield to the wishes of the Government. But may I remind the Government that they have been four years in office, and there has not yet been a full discussion of their African policy? Not long ago Lord Salisbury said that the African question was probably the most important political question of the day. It is a little remarkable, therefore, that the House of Commons has not yet been taken into the confidence of the Government as to what their African policy is, and that there has not been any full discussion of what is going on there. I think it is of great importance to the Government itself that there should be a discussion of these questions in the House, because what could be more advantageous for the Government, which is really a Committee of the Representative House of this country, than to know what the national feeling is on a policy of this kind? Besides, the question is discussed everywhere in the Press, and Mr. Stanley is going about the country lecturing people and telling them what they ought to do, and attempting to dictate the Imperial policy of this country, and he is listened to by large masses of our countrymen, who are under the influence of the glamour of Stanley's name. I have been astonished by some of the speeches which have been made on the other side, and which seem to indicate a return to the old principles of the Liberal Party, because from articles in the Radical Press and speeches by Radical leaders I had been led to think that what used to be called the bastard Imperialism of Lord Beaconsfield had become the accepted gospel of the Radical Party. In fact, we are rather in danger of forgetting that there are other portions of the habitable globe of some importance to the Empire besides the Dark Continent of Africa. I do not myself believe that the value of the trade and the colonisation which may be developed in Africa is so overwhelming as is sometimes represented; but, at the same time, I am strongly of opinion that England ought to have her fair share of all the expansion that is going on there. There are a good many critics who blame the too great caution of Lord Salisbury in the view of what the Government of this country ought to do in Africa, but a Conservative Government is bound to be cautious. But when it is said that Lord Salisbury is to blame for giving in so

*Mr. J. Maclean*

much to Germany, we ought to remember that it was the right hon. Member for Mid Lothian who, in the first instance, invited Germany to pursue her glorious work of colonisation in that region. In a speech made in 1885, after that little quarrel between Lord Granville and Prince Bismarck had been brought to a close by Lord Granville making his apology in the House of Lords to Prince Bismarck for having said anything to offend him—in 1885 the right hon. Gentleman in glowing sentences said that if Germany was to become a colonising power—and the right hon. Gentleman wished her God speed—she became the ally of this country and partner in the execution of the purposes of Providence in carrying the light of civilisation to the backward regions of the earth. But the House is told by the Under Secretary for Foreign Affairs that very important and delicate negotiations are going on, and that we ought not to interfere with them. It seems to me that while those negotiations are going on Germany is advancing all along the line. This country does nothing to attack German interests, although we read of the way in which the Germans are storming one position after another along the East Coast of Africa, and are equipping new expeditions to start into the interior of the country. Now, if the Government of this country instead of promoting new colonising expeditions—which I firmly believe are bound to fail; for I do not see, although a great deal is talked by Stanley of the advantage of settling there, that there is any part of the coast, except the south, where it is possible to settle colonies of white men—if the Government would remember the interests of this country we have an important trade there which the Government is bound in honour and interest to look after. The whole trade of the East Coast of Africa has been in the hands of Indian subjects of Her Majesty. Those traders have been settled there for several generations, and have carried on a very important and flourishing trade. From time immemorial the Indian merchants and the daring sailors from the West of India have had control of all the traffic round the coasts of the Indian Ocean. But the Germans have regularly harried all the settlements of British Indian subjects; men have had their homes

destroyed and have been despoiled of their property; and scores of families have been carried by English men-of-war to Zanzibar in consequence of German interference. Is it to the credit of Great Britain that such interference by a Foreign Power should be permitted? With some knowledge of the East, I say that no more serious blow could be struck at the political honour and authority of England in the East than has been struck by the subordination of English power to Germany in East Africa. Will the Under Secretary give the House some information as to the decay of trade in that part of Africa as the result of German interference there? It would have been far better for this country if its Governments had stood up for the interests and the honour of British Indian subjects there, and had said that, whatever Germany might choose to do, we would suffer no interference with the interests of the British Empire. What have we to gain from the concessions to Germany in Africa? Why should we bind ourselves to one nation in particular? We have interests in Europe, Egypt, and in the far East, and it is necessary that we should cultivate friendly feeling with all European Powers; but why give any particular preference to Germany? What has Germany done for us? The right hon. Member for Mid Lothian spoke of civilisation as if German civilisation and English civilisation were the same thing. The civilisation of Germany is a much inferior article to the civilisation of England, and is very often quite antagonistic to it. The Germans are energetic and enterprising, and if they had some touch of magnanimity in them they might become the foremost nation in the world. But I believe that England, in the long run, will beat the Germans out of the field; and I maintain that the Government of this country is bound, in considering what they are doing in East Africa, to pay, first of all, some regard for national interests, and afterwards to keep on terms of a good understanding with other Powers. Germany will respect this country more if we stand up for our interests instead of conceding everything she demands. Now a word upon these Chartered Companies so often alluded to. Of course, these companies do not carry on their work for the sake of putting down the Slave Trade

or stopping the drink traffic. Quite lately we had a Debate upon a subsidy to be granted to a line of steamers trading to the East African ports, and I find I have been upbraided in the newspapers for saying England is incurring responsibility by having those Chartered Companies. I am not at all afraid of responsibility, which England is now better able to undertake than she ever was before. But whether England should work with Chartered Companies is quite another question. I think that Chartered Companies are an anachronism. The Chartered Company which was established in India raised armies, collected revenues, established States, and reigned over vast provinces. But it would not have been able to do that under the direct and immediate control of the British House of Commons. As it was, it took 200 years and constant wars to establish itself in India. That is completely out of the question for the African Companies, which cannot move a step without having their actions reviewed and questioned in the House of Commons. Mr. Stanley said that if the House of Commons did not give the East Africa Company its help and support against the Germans, that company would have to give up its civilising and beneficent work. If that is the case, it becomes a question whether we ought to give the companies all the profits, while the taxpayers of England have the cost of protecting them. Surely it would be better for the State to undertake the business itself rather than trust to those Chartered Companies.

(10.47.) MR. PICTON (Leicester): I do not think we are quite prepared to take the view of the hon. Gentleman. Of course, we all agree we are a great nation with a noble mission; the only question is to the manner in which we should extend British dominion and carry out our noble mission. Much has been said of the East Coast of Africa. I have something to say of the West, and wish to refer to a matter which occurred near Sierra Leone, and is referred to in the Blue Book C5740. Probably some hon. Member may remember that a little while ago I called attention to the manslaughter of a native by a British subject.

THE CHAIRMAN: An Amendment has been moved to reduce the Vote on

Account of Foreign Office policy, and this is now under Debate.

MR. PICTON: I was not in the House, and was unaware that an Amendment had been moved.

(10.50.) COLONEL NOLAN (Galway, N.): The hon. Gentleman the Member for Oldham has a false idea when he blames the leader of the Opposition for encouraging the Germans to go to East Africa. Now, the right hon. Gentleman, in my opinion, pursued a very strong African policy, and left our position in Africa much better than he found it.

An hon. MEMBER: The Transvaal?

COLONEL NOLAN: But the Transvaal was annexed by a Conservative Government.

THE CHAIRMAN: Order, order!

COLONEL NOLAN: Well, I do not want to talk about that, though I am quite ready to do so. The hon. Member for Oldham spoke in a deprecatory way of Mr. Stanley, who is certainly the greatest traveller who has lived in our time. [*Cries of "No," "Livingstone."*] Well, it is matter of opinion; I think him the greatest traveller since Marco Polo. He certainly can speak with knowledge and experience, and he has told us that there are vast tracts of Africa fit for the settlement of white men. The hon. Member for Oldham speaks of the unhealthiness of the East Coast, and there he is right; but what Mr. Stanley means is inland territory, 600 or 700 miles above sea level, and he declares that he has seen immense tracts well adapted for white settlement. I am afraid there is a good deal of what is very much like cant talked about our noble motives and civilising influences. The Slave Trade, of course, we can take credit for endeavouring to suppress, and, naturally, we do not wish to have those under our authority debauched with bad liquor, nor would we here, if we could help it; but I do not believe that in Africa or here you can keep liquor out. Since exploration opened up the interior of Africa to European enterprise, there has been a scramble among Continental nations for a portion of it; and it has, therefore, become an absolute necessity for England to see that it gets its fair share. Unless the country is annexed in a formal manner, it must become a prey to filibustering expeditions. It is perfectly legitimate to extend British influence and

*The Chairman*

dominion, though, of course, it is a matter that must be carefully watched. But a quarrel with Germany, leading to a war, would, whatever else might be the result, mean an expenditure that half a century's occupation of Africa would not balance. It is well to note that the spread of Christianity in Africa is but slight compared with the spread of Mohammedanism. This last is spreading among the African tribes at a tremendous rate. For my part, I have some respect for the Mohammedan religion; it is certainly better than Paganism, and there are points in it not unlike our own.

THE CHAIRMAN: But this has nothing to do with the policy of the Foreign Office.

COLONEL NOLAN: On that point, Sir, I bow to your ruling. Knowing that half the world's wars have arisen out of religious causes or pretexts, I very much doubt that this has nothing to do with Foreign Office policy. But though I am not convinced I shape my conduct by your ruling. I would only remark that I do not think the hon. Member for Oldham has any cause to reproach the leader of the Opposition, who has left this country in a splendid position in Africa, a position which Lord Salisbury seems in danger of frittering away.

DR. TANNER: I sincerely hope that hon. Members opposite, having spoken at such length and with such vehemence and caustic assertion, will now act up to the opinions they have advocated by going to a Division, and I shall support them with the very greatest pleasure.

(11.1.) The Committee proceeded to a Division:—

Dr. TANNER was appointed one of the Tellers for the Ayes, but no Member being willing to act as the second Teller for the Ayes, the CHAIRMAN declared that the Noes had it.

Original Question again proposed.

(11.4.) DR. TANNER: Several admirable works have been supplied to Members of this House, and this is a Report which I hold in my hand by one of the accredited Agents of Her Majesty's Colonial Office. It records a very sad state of affairs, indeed, in the Caicos Islands. We have had an extremely interesting discussion on land grabbing in Africa, and as to

whether Germany or Great Britain is to become possessed of certain vast territories. Hon. Members opposite have spoken of a bastard Imperialism, and I thought of the Government policy at Tipperary. While all these discussions occur, here we have a Report of the condition of these islands, in which the state of affairs is most deplorable. The Report is signed H. M. Jackson, who says that experience shows that once in three years the rainfall is insufficient to nourish the crops to feed the people who grow them. One of three results, Mr. Jackson says, is certain. Either the lands must be abandoned, or the people must starve, or the Government must provide for the wants of the increasing population. This Report has been in the hands of Members since last October, yet it seems to me an extraordinary fact that we have heard not one word about the condition of these people. I know that there are hon. Members who are anxious to deal with certain other matters—to deal with a pauper population nearer home, pauperised by the savage action of certain individuals, aided and abetted by Her Majesty's Government. I am not, therefore, going to pursue the obstructive tactics of hon. Members opposite, who, after talking 2½ hours, have not the courage to go to a Division. This Report shows that the wells in the Caicos Islands are at least four miles walk from the town, and that a very small quantity of water can be obtained for drinking purposes. Means are required to enable these unfortunate people to exist; and the First Lord of the Treasury might have been here to subdue the intolerable ardour of his followers, who talked for hours without coming to a result, so that some attention could have been given to this subject. If Her Majesty's Government are so very anxious to conciliate the German Emperor, let them give up Heligoland, our possession of which is a menace to the German Empire. Heligoland is nothing better than a bathing place in the North Sea, patronised by the Germans. Her Majesty's Government, instead of allowing the German Emperor to say in Africa "Thus far shalt thou go and no farther," might do more to conciliate the German people by giving up Heligoland than could be accomplished in any other way. The island is useless to us,

either for commerce or as a shelter for our vessels of war. I think a great deal might be done if this little island were given up to the German Emperor in establishing a *modus vivendi* between the two countries. I sincerely hope that Her Majesty's Colonial Secretary will give some answer to these observations, notably as to the state of affairs in the Caicos Islands.

BARON H. DE WORMS: I shall be very happy to give the hon. Member the information he desires when the Colonial Vote is reached.

DR. TANNER: I was not aware the Colonial Vote was coming on. I learnt these facts when I was enjoying the hospitality of the Chief Secretary for Ireland—having got this Report in prison. Other Blue Books were sent to me there which I shall take opportunity to refer to. I had time to study them.

(11.17.) CAPTAIN VERNEY (Bucks, N.): I move to reduce the Vote of the Charity Commissioners by £500. The first duty of the Charity Commissioners is to inquire into the administration of Charitable Trusts. The second duty is to compel the production of accounts of expenditure and to audit such accounts when produced. My charge against the Commissioners is that they are appointed by the country to be custodians of money left for the poor. I maintain that they habitually neglect that duty; that the money left for the poor is stolen by the rich, is used for the purposes of the rich, is often lost, and in many causes misappropriated. By this pamphlet I find that the Charity Commissioners have sent in no Report since 1887, and previous to that since 1861 and 1856. The pamphlet was drawn up on information got from the Charity Commissioners. I went myself to the Charity Commissioners on many occasions, and I am bound to say that each time I was met with the utmost courtesy, and every desire was shown to afford me information. I do not believe the fault rests with the Charity Commissioners individually. I believe it only rests with the office of the Charity Commission, which does not attempt to perform the most elementary duty of protecting the property of the poor. I do not know why they do not do it. Probably because they have not a sufficient staff. Now, in the case of one charity they have not sent in accounts since 1879—something



like 11 years—and I find the Trustees are a Duke, a Baron, a Baronet, two squires, and two parsons. Yet these men, who ought to know their duty, have not sent in accounts for 11 years. It is the duty of the Charity Commissioners to make these people send in their accounts, and the Act of Parliament gives them full power to do so. The money, no doubt, was wisely expended; but the poor of the parish knew nothing about it. As a rule, the Charity Commissioners do not make the persons having charge of these small village charities send in their accounts, and I ask what remedy have the poor under such circumstances? What opportunity have those whose life is spent at the plough to protect their own interests if their richer neighbours fail to do so? The Trustees of these charities are usually the churchwardens and overseers. We have a special Department whose business it is to protect the poor in these small places, and the charge brought against those who compose that body is that in a large number of cases the Charity Commissioners fail in the discharge of their first and elementary duty. I assert that the Charity Commissioners permit the poor to be robbed of the money which is left for their use, and allow that money to be appropriated to some other use. What is this but theft? Take the case of the money left for Spiers' Charity as lately as in 1856. The amount was £8 a year, and I have the names and addresses of the churchwardens and overseers responsible for the distribution of that sum. I will not give the names, because I know that good work is not promoted by personal attacks on individuals. I may, however, say that that money is gone; it has been stolen by the men whose duty it was to distribute it amongst the poor. In another case, £3 8s. was left for the benefit of the poor, and of that sum £3 3s. was given to the Oxford Infirmary. In another parish £50 was left for the poor, and the executors refused to pay the money because of some difference as to whether it was left to the poor of one parish or of those of another parish, the result being that the executors have pocketed the money, and the poor have derived no benefit from it to this day. In another case, £35 a year was left for apprenticing the children of the poor. Of that sum £19

*Captain Verney*

goes to a school account, which certainly is not apprenticing poor children. I have many more cases of the same kind in which money left for the poor has been appropriated to other purposes; but I will not go into them now. My third charge is that money left for educational purposes has been expended for other purposes. In one case the amount was from £120 to £130 a year. Then there is the case of Lady Saye and Sele's Charity in which £320 was left for apprenticing poor boys. How was that money expended? £30 went to the Brandon School, £40 to the schoolmaster, £150 for the repair of the parish church, and 10 guineas towards the salary of the parish clerk. Are we to pass these things over year after year? Who is to protect the poor if the Charity Commissioners do not? I hope I shall receive some assurance from the Treasury Bench that this duty imposed on the Charity Commissioners will be insisted on. I am sure that hon. Members opposite are as much interested in this subject as I am, and I trust they will support me in the action I am now taking, especially when they know, as many of them must know, that money left to educate poor children is really expended in saving the pockets of the rich, the poor deriving no benefit whatever from it. In many cases this is done deliberately, because in a large number of rural villages there is a strong objection to the education of the poor, those of the better class saying, "What are we to do for servants if the poor are educated?" My remarks are not meant in any way as an attack upon the Government; but I assure them that this is a matter of burning importance in the rural districts, where, in most cases, a small sum—say of £10 or £12—devoted to a scholarship would act as great a stimulus to a village school as an exhibition of £50 or £100 in a large public school. I hope the Government will see their way to press this important duty on the Charity Commissioners.

Motion made, and Question proposed, "That the item of £7,000 (Charity Commission), be reduced by £500."—(*Captain Verney.*)

\* (11.27.) THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I certainly agree with the

hon. and gallant Gentleman that the matter is one of great importance, and although it does not come within my special province, nevertheless as the appeal has been made to me in the absence of my hon. Friend (Mr. W. Lowther), I will ask leave to say a few words upon the subject. The cases quoted by the hon. and gallant Member are cases coming under Endowed Schools schemes, and it is clear, therefore, that the Charity Commissioners are in no way responsible.

CAPTAIN VERNEY: They are responsible to this extent, that all Charity Trustees are bound to send in their accounts to the Charity Commissioners, and if they do not insist on this being done they are in fault themselves.

\*SIR W. HART DYKE: At any rate, the matter is one which I regard as important, and I shall take an early opportunity of bringing it under the notice of the Commissioners. The complaint that the money of the poor is taken away and devoted to other purposes is a very old one; but if the hon. and gallant Member will furnish information as to specific cases, I will see that they are inquired into. With regard to the general scope of the speech on matters of administration I only wish the hon. Member will give me concrete evidence in regard to two or three cases, and I can assure him they will receive the utmost attention from myself, and I will bring them under notice in the proper quarter.

Amendment, by leave, withdrawn.

Original Question again proposed.

(11.31.) MR. J. MORLEY (Newcastle-upon-Tyne): I am aware that the right hon. Gentleman is anxious to dispose of this Vote on Account to-night, and therefore I will only detain the Committee two or three minutes. There is a rumour that a certain vacancy in the High Court in Ireland is about to be filled up, and I submit that, if that is so, the filling of the vacancy will be a breach of an undertaking given by the Chief Secretary on the 14th of April, 1887, a few weeks after he assumed office. I am not going into the question generally of the condition of the Irish Bench; it is admitted substantially on all hands that that Bench is immensely overmanned, immensely overpaid, and immensely underworked. In his speech, in April, 1887, the right hon. Gentleman re-

ferred to the excess of strength in the Supreme Court of Judicature as a recognised evil in Ireland, and promised to bring in a Bill to reduce the number of Judges, stating that, without pledging himself to the number, the reduction would be three or four. I am unwilling to believe, in the face of that declaration, the right hon. Gentleman is about to do as rumour says. He has not fulfilled his promise to bring in a Bill for the reduction of the Bench, the strength of which he admits to be in excess of the public requirements. I find that the Irish lawyers have distributed among them, in the shape of official salaries, a sum of £230,000 a year. The Irish bar is, I am told, about 1,000 strong, although there are only 300 in actual practice; therefore, the State pays at the rate of £750 a year for each practising barrister. I raise the subject briefly now, instead of on the Vote for the Irish Judicature, in order that the Chief Secretary may know that we protest in advance against the filling up of the present vacancy in the Queen's Bench Division.

\*(11.37.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The right hon. Gentleman has, with great brevity and clearness, described the case which he has to make against our exercise of legal patronage in Ireland. Now, confining myself strictly to the question raised by the right hon. Gentleman, it is the case that I gave the pledge in question in 1887. Legislation was brought in accordingly, but it did not meet with any favour from hon. Gentlemen who sit below the Gangway, and it was found impossible, in the then state of Parliamentary business, to attempt to carry it that Session. I do not think any opportunity has occurred since in which the Government could possibly have brought in the Bill with any possibility of passing it. If that is true, the question is what course the Government should have pursued. The right hon. Gentleman would almost lead the Committee to suppose that it rests with the Government to determine whether the vacancy is or is not to be filled up. That is not the fact. In the absence of legislation it is obligatory on the Government to fill up the vacancy. No blame can attach to the Government if they fulfil a duty imposed

upon them by Act of Parliament by filling up vacancies in the Judicial Bench. The right hon. Gentleman is probably aware that the present Government have never proposed to reduce the number of Common Law Judges. They have come to the conclusion that that would be inexpedient, and that the reduction should not be in that branch of the Judicial Service. But without further discussing what form legislation should take in the future, it is clear that if the rumour alluded to by the right hon. Gentleman is correct, and I do not suggest the contrary, no other course is open to the Government than to fill up the vacancy, and so to bring up the strength of the Judicial Bench to the limit fixed by Act of Parliament.

(11.41.) MR. LABOUCHERE (Northampton): As we are on the subject of judicial appointments, I wish to draw attention to a recent legal appointment in Ireland. Mr. Atkinson, Q.C., has recently been appointed Solicitor General for Ireland, and this gentleman was one of the counsel for the *Times* before the Royal Commission. I am given to understand that the *Times* has not paid its counsel their fees, and it appears to me possible that this appointment has been conferred upon Mr. Atkinson as a kind of *quid pro quo*. I should like to have an assurance from the Chief Secretary that, in his opinion, the obligation of the *Times* to pay its counsel remains as it stood before this gentleman was appointed Solicitor General, and is in no way wiped away by the appointment. Otherwise we find ourselves in the position of being called upon to vote money as a *quid pro quo* because this gentleman represented the *Times* gratuitously.

\*(11.42.) MR. A. J. BALFOUR: The Government know nothing about the relations between the Solicitor General for Ireland and his private clients. Mr. Atkinson has been appointed to the post because there is no more eminent member of the Irish Bar.

(11.43.) DR. TANNER: I wish to ask whether the Chief Secretary has made any inquiry into the conduct of Mr. Gardiner, Resident Magistrate at Cork, and into the conduct of the Resident Magistrate at Macroom? Against the former gentleman a grave and serious charge has been made. We know well the character of the main

*Mr. A. J. Balfour*

portion of the scoundrels who are sent as officials to Ireland. If the right hon. Gentleman wishes to maintain a body of extremely immoral and bad men in Ireland, he cannot do better than promote these two men. I challenge the right hon. Gentleman to make an inquiry into the grave and horrible scandal attaching to Mr. Gardiner. Unless some investigation is made it will become my painful duty to follow the line of action which I adopted in regard to Captain O'Neill Segrave, whom the Chief Secretary had ultimately to dismiss. I call on the Chief Secretary to do his duty in the interests of justice.

\*(11.48.) MR. F. S. WYKEHAM CORNWALLIS (Maidstone): I will only detain the Committee a minute, but I wish to ask the President of the Local Government Board whether he is now prepared to grant to the Urban Sanitary Authority of Maidstone the sum of £300 to enable them to construct a main sewer, which is urgently needed in a district named Fant, where, owing to the present condition of affairs, diphtheria is raging, and there have already been some fatal cases? I hope the right hon. Gentleman will give his immediate attention to this matter, as I feel sure the Local Government Board do not wish to be held responsible for any deaths that may occur.

\*(11.50.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE, Tower Hamlets, St. George's): I have given the matter my personal attention. What the borough of Maidstone are asking the Local Government Board to do is to enable them to borrow £300 for the purpose of committing a breach of the law. The Corporation of Maidstone desire to borrow £300 and to employ it in polluting a river. I have found myself quite unable to sanction the borrowing of this money for such a purpose. If the borough of Maidstone like to take upon themselves the responsibility of breaking the law, they have the means of doing so by taking the money out of the rates.

(11.52.) MR. SEXTON: Do the Government intend to suspend Mr. John Mackay, the County Solicitor of Tyrone? The facts of this case are that two men quarrelled outside that gentleman's house, and one having struck the other, he fell and broke a window in the house. Mr. Mackay came out of the house with

a drawn sword, pursued the man, and struck him on the forehead, arm, and leg with the sword, and stated that if the man had refused to accompany him to the police barracks he would have murdered him. I wish to know what the Government intend to do with this man?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): Although the criminal proceedings in connection with this matter before the Magistrates have terminated, there is still a civil action pending, and I am sure the hon. Gentleman will see that it is premature to go into the case until that action has been heard.

MR. SEXTON: Of course; but I do contend that the offending official ought to be suspended from his office in the administration of the law. I am sure that no English official who had done such a thing as this man admitted before a Court of Justice he had done, would be allowed to retain his office.

DR. TANNER: I wish to know why Mr. John Slattery, now in Cork Gaol, is treated differently to myself? When I was in Clonmel Gaol I was allowed to see my wife in the Governor's room, and I ask that Mr. Slattery should be allowed to see his wife also. I asked for no favour for myself. We want no favour at the hands of the right hon. Gentleman, whom we are always prepared to fight. With all his bravado and swagger in connection with his Irish administration, the right hon. Gentleman, although he draws a large salary, seldom ventures to enter the country. He gave us an assurance that this class of prisoners should be treated better than first-class misdemeanants, but he has broken his promise so far as Mr. Slattery is concerned.

MR. A. J. BALFOUR: I can assure the hon. Gentleman that every prisoner in Ireland is treated strictly according to the rules prevailing with regard to the particular class to which he belongs. The rules that applied to the hon. Gentleman will be applied to Mr. Slattery if Mr. Slattery belongs to the same class.

DR. TANNER: Very well, that is all I ask for.

Question put, and agreed to.

Resolution to be reported to-morrow at Two of the clock; Committee to sit again to-morrow.

# DEEDS OF ARRANGEMENT BILL. (No. 264.)

Bill, as amended, considered.

Amendments made; Bill to be read the third time to-morrow, at Two of the clock.

# SLANDER LAW AMENDMENT BILL. (No. 278.)

Bill read a second time, and committed for Monday 2nd June.

# WORKING CLASSES DWELLINGS BILL. (No. 279.)

Bill considered in Committee.

(In the Committee.)

(12.10.) DR. TANNER: I beg to move that you, Sir, report Progress, and ask leave to sit again.

Motion made, and Question proposed, "That the Chairman do report Progress and ask leave to sit again."—(Dr. Tanner.)

(12.10.) MR. LEES KNOWLES (Salford, W.): The object of this Bill is merely to enable gifts of land to be made for the erection of houses in populous places. According to the present law this cannot always be done, and it is in view of the munificent gift of a countryman of the hon. Member, made to the Metropolis recently, and to the gifts made by Earl Cadogan and others, that this Bill is introduced. I trust the hon. Member will not oppose the passage of this Bill, which is so obviously for the good of the community in Ireland as well as in England.

(12.11.) DR. TANNER: I would sooner be guided by the advice of my friends in this matter, and if the Bill is likely to be beneficial to Ireland I would rather take an assurance to that effect from hon. Members on this side of the House than from an hon. Member opposite. As my hon. Friends have given me that assurance I shall not oppose the Bill. I moved to report progress, but, understanding that the money which the measure has reference to is for the benefit of the working classes, I do not think I should be justified in offering further opposition to the Bill.

Motion, by leave, withdrawn.

Motion made, and Question proposed, "That the Chairman report the Bill without Amendment to the House."

(11.13.) MR. T. M. HEALY: I should like to ask whether on the Report stage the Bill could be made general in its object? It may be general now, but we do not think so. Will it be so framed as to have regard to the working classes generally, and not merely the Guinness' Trust?

MR. LEES KNOWLES: The Bill is general in its terms. It has been submitted to the Law Officers of the Crown, who approve of it.

Question put, and agreed to.

Bill reported without Amendment; to be read a third time to-morrow at Two of the clock.

CUSTOMS CONSOLIDATION ACT (1876)  
AMENDMENT BILL.—(No. 247.)

Bill considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again to-morrow at Two of the clock.

PAUPER LUNATIC ASYLUMS (IRELAND) (OFFICERS' SUPERANNUATION) BILL.—(No. 140.)

Bill considered in Committee.

(In the Committee.)

Amendment proposed,

In Clause 3, page 1, line 22, leave out from "payable" to "of," inclusive, in line 23, and insert "advanced, paid, presented for and raised in like manner as any other moneys advanced or raised for supporting and maintaining."—(*The Attorney General for Ireland.*)

(12.17.) MR. T. M. HEALY: Will the Attorney General for Ireland give us an assurance that between now and the end of the Whitsuntide holidays our representations in regard to this Bill will be considered?

(12.19.) MR. MADDEN: I considered the matter carefully when I put the Amendment down on the Paper, and the view I take is this, that it would be extremely inconvenient to extend this Superannuation Bill to a different class of officers than those provided for by the existing law. If the hon. Member will put down on the Paper what Amendments he thinks right I will give them the best consideration in my power.

(12.20.) MR. MACARTNEY (Antrim, S.): This is not a new measure in the House, and though it has been put forward by my

hon. Friend to-night, it really comes from the other side of the House. Whatever course may be taken by the Government, I shall certainly not be able to assent to any proposal for enlarging the scope of the Bill.

\*MR. JOHNSTON (Belfast, S.): I appeal to the hon. Member opposite not to oppose the Bill.

MR. T. M. HEALY: I do not wish to disoblige the hon. Member, and I will not oppose the Bill.

MR. CRILLY (Mayo, N.): In the absence of any assurance from hon. Gentlemen opposite, I must move to report Progress.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Crilly.*) put, and agreed to.

Committee report Progress; to sit again upon Thursday 12th June.

EAST INDIA (CIVIL SERVANTS).

SIR J. GORST: I hope the House will allow a Select Committee to be appointed on the alleged grievances of the Uncovenanted Civil servants of India. It will be impossible for the Government to consent to the Amendment of which the hon. Member for Kirkcaldy (Sir G. Campbell) has given notice. I hope, however, he will not oppose the appointment of the Committee.

SIR G. CAMPBELL: I cannot consent to it.

SIR R. LETHBRIDGE (Kensington, N.): I would appeal to the hon. Member to forego his opposition.

SIR G. CAMPBELL: I appeal to the hon. Member to accept my Amendment.

OPEN SPACES BILL [LORDS].

Bill read the first time; to be read a second time upon Monday 9th June, and to be printed. [Bill 303.]

ALDERSHOT ROADS BILL.—(No. 298.)

Ordered, That the Examiners of Petitions for Private Bills do examine the Aldershot Roads Bill, with respect to compliance with the Standing Orders relative to Private Bills.

House adjourned at twenty-five minutes after Twelve o'clock.

## HOUSE OF COMMONS,

*Friday, 23rd May, 1890.*

The House met at Two of the clock.

## QUESTIONS.

## IRELAND—TITHE RENT-CHARGE.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to ask the Attorney General for Ireland if he will state the amount of tithe rent-charge redeemed in Ireland since the Disendowment of the Church, and the average number of years' purchase at which the tithe rent-charges have been redeemed; and whether the Government have ever considered that any abatement in the tithe rent-charge ought to be made in consequence of agricultural depression?

THE ATTORNEY GENERAL FOR IRELAND (MR. MADDEN, Dublin University): The amount of tithe rent-charge in Ireland redeemed since 1869 is £230,579, the purchase-money for which has been £4,914,231, being 22½ years' purchase of the net rent-charge, poor rate being deducted, or about 21½ years' purchase of the gross rent-charge. The existing tithe rent-charges in Ireland are fixed by statute, and it would not be possible for any abatement on account of agricultural depression to be made without legislation.

## RURAL POSTMEN.

MR. PATRICK O'BRIEN (Monaghan, N.): I beg to ask the Postmaster General whether a Post Office Circular was issued on 4th June, 1889, giving rural postmen in Ireland the option of starting on their return journeys one hour after their arrival at their respective destinations on bank holidays, and thus reducing their hours on duty; and whether this Circular has been acted upon; and, if not, would he explain on what grounds?

\*THE POSTMASTER GENERAL (MR. RAIKES, Cambridge University): Yes, Sir, such a Circular was issued, and has been acted upon throughout England and Wales; but I understand bank

holidays are not generally observed in Scotland and Ireland; and it has not, therefore, become necessary to apply it to either of those parts of the United Kingdom.

## MR. HUGH GRAHAM, J.P.

MR. PATRICK O'BRIEN: I beg to ask the Attorney General for Ireland whether Mr. Hugh Graham, J.P., of Dromore, County Tyrone, recently suspended by the Lord Chancellor on charges of drunkenness and threatened assault, has yet been dismissed from the Commission of the Peace; and, if not, can he explain which of his magisterial functions Mr. Graham is forbidden to discharge by his suspension, and what is the distinction drawn between his case and that of Mr. George Sandes, J.P., recently dismissed from the Commission of the Peace by the Lord Chancellor, on the grounds that his retention in that capacity would not be in the interest of the Public Service?

MR. MADDEN: Mr. Hugh Graham, J.P., of Dromore, County Tyrone, has not been dismissed from the Commission of the Peace, as the Lord Chancellor of Ireland, after full consideration of all the circumstances of the case, was of opinion that the facts did not call for such a course. There was no charge of threatened assault, but of two cases of alleged intoxication. His suspension precludes him from sitting on the Magisterial Bench until further orders, meanwhile his conduct being under the Lord Chancellor's observation. The different decisions arrived at by the Lord Chancellor in the two cases referred to were arrived at after a full review of the facts disclosed in each case.

MR. SEXTON (Belfast, W.): Is this gentleman, in the meantime, discharging magisterial functions which do not relate to the administration of justice?

MR. MADDEN: He has been suspended from the discharge of all his magisterial functions.

## COUNTY COURT JUDGE HICKSON.

MR. TUIE (Westmeath, N.): I beg to ask the Attorney General for Ireland whether his attention has been drawn to the action of County Court Judge Hickson in the case of the "Guardians

of the Mullingar Union *v. Murray*." heard at the recent Quarter Sessions for Westmeath, and to the resolution adopted by the Guardians on the same subject, published in the *Westmeath Examiner* of the 17th instant; if it is a fact that Judge Hickson first dismissed the case on its merits, and in two days afterwards stated to Mr. Downes, the solicitor to the Guardians, that he was anxious to have the case re-opened; whether the Guardians, having agreed to the proposal, the Judge, without re-hearing the case, again changed his mind and directed the Clerk of the Peace to inform the solicitor that he would allow the dismissal to stand; and whether he will ask the Lord Chancellor to request Judge Hickson to furnish an explanation of his reasons in acting thus with regard to this case?

MR. MADDEN: The matters referred to in the question are matters which occurred before the Judge in the discharge of his duty as a County Court Judge. It would be improper for me on behalf of the Government to communicate with him as to the discharge of his duty in the capacity he fills.

#### POSTAGE TO INDIA AND AUSTRALIA.

COLONEL HILL (Bristol, S.): I beg to ask the Postmaster General what will be the effect upon the Imperial Revenue if, consequent upon the reduction of the colonial postage to 2½d. (estimated by him to involve a loss of £88,400), the number of letters to India and Australia be doubled; and what will be the financial effect of the same increase of correspondence if the postage on letters to India and Australia be reduced to one penny?

MR. RAIKES: As every letter for India or Australia carried for a postage of 2½d. would involve a loss, to double the amount of correspondence sent would but be to increase the loss; and, if the same increase took place in conjunction with a 1d. postage, the loss would, of course, be very largely augmented. With reference to the answer which I gave in this House on the 15th of May as to the estimated additional loss which the revenue would sustain by the establishment of universal penny postage, I may

*Mr. Twite*

say that the sum of £400,000 then mentioned would be largely increased by any considerable addition to the correspondence.

#### THE INDIAN SALT TAX.

MR. HOWELL (Bethnal Green, N.E.): I beg to ask the Under Secretary of State for India whether it is a fact that the Indian Salt Tax was mainly if not entirely imposed in consequence of the loss which the Indian Government sustained by the fall in the gold value of the rupee; and, if so, whether the Secretary of State for India will, in view of the rise in the gold price of silver which has now taken place, bring the matter under the notice of the Governor General in Council, with the object of securing that at least a corresponding reduction shall be made in the Salt Tax?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The Secretary of State cannot admit that the increase of the Salt Tax in India was caused mainly, if not entirely, by the loss in exchange. That was one, but not the only one, of the causes which made the increase necessary. The Secretary of State and the Government of India are both anxious to reduce the Salt Tax to its former amount, so soon as it is possible to do so, but any statement at present would be premature.

#### THE LAND TAX.

MR. BOWEN ROWLANDS (Cardigan-shire): I beg to ask the Chancellor of the Exchequer whether he is aware that, on the 17th January, 1889, and 27th February, 1890, the Land Tax Commissioners for Banbury, Oxfordshire, obtained from Major H. C. Maul, of Horley House, Horley, two several sums of £5 12s. each, on the representation that the same were due from him to the Commissioners for Land Tax in respect of his tenancy of Horley House and premises, the last of the two sums having been obtained by the Commissioners under a threat of distress, although the Land Tax for the said premises had been for many years redeemed, and nothing was due to the Commissioners from Major Maul in respect thereof; if he will explain why it is that, although the Commissioners

have admitted this to be the case, they refuse to refund the two sums of £5 12s. each to Major Maul; and whether he will institute inquiries, and direct that the two sums of £5 12s. each be returned to Major Maul?

\*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I must ask the hon. Gentleman to be good enough to ask the question after the recess.

#### MAINTENANCE OF URBAN ROADS.

MR. HOBHOUSE (Somerset, E.): I beg to ask the President of the Local Government Board whether he has considered the effect of the recent decision in the Warminster case (with respect to the maintenance of urban streets and footpaths); and whether, in view of the fact that during the passage of the Local Government Bill, he more than once assured the House (see *Hansard*, vol. 327, pp. 1667, 1752), that it was not intended by the Act to throw upon the County Councils the whole cost of maintaining urban streets and footpaths, he will now consider the advisability of legislating to define the law and carry out the intention of the Local Government Act?

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I have as yet only seen a newspaper report of the judgment in the case referred to. From that report it would appear that the Court placed an interpretation on Sections 13 and 15 of the Highways and Locomotives Amendment Act, 1878, entirely different from that which was usually adopted by the Local Authorities prior to the passing of the Local Government Act. The judgment, as I understand it from that report, is that the liability to maintain footways devolved on the County Authority under the Act of 1878, and that as the powers of the County Authority under that Act have been transferred to the County Council, the like liability now attaches to them. I am not aware whether it is the intention to bring the question before the Court of Appeal. At present, I can only state that the question will be further considered by the Government when they have seen a full report of the judgment in the case.

#### MEETINGS OF POST OFFICE EMPLOYEES.

MR. BRADLAUGH: I beg to ask the Postmaster General whether he is now aware that the police have, in certain towns in the Home Counties, made inquiries as to intended meetings of Post Office employees; whether the result of such police inquiries have been communicated to him; and if he will state through whom any correspondence or communication from the Post Office as to such inquiries has been made?

\*MR. RAIKES: No, Sir, I am not. No such inquiries have been made with my knowledge, and I should certainly be aware of them if they had been made from the Post Office.

MR. BRADLAUGH: I beg to ask the Secretary of State for the Home Department whether he is aware that instructions have in any and what case been forwarded from Scotland Yard to local police to inquire and report as to meetings of Post Office employees likely to be held in the Home Counties; whether these instructions have been sent to the local police at the request of the Postmaster General, or at whose request; and whether he will state the precise nature of the instructions to the police sent from Scotland Yard, and to what towns such instructions have been sent?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the Commissioner of Police that no such instructions have in any case been sent to the local police from Scotland Yard.

\*MR. BRADLAUGH: In consequence of the reply of the right hon. Gentleman I beg to give notice that on the Estimates I will give details of cases in which the police have acted as I have stated, either with or without instructions.

\*MR. H. J. WILSON (York, W.R., Holmfirth): Have there been any inquiries by the police? May there have been communications which would not be called instructions?

MR. MATTHEWS: I am not aware that there have been any. The information I have received is an absolute negative of the question of the hon. Member for Northampton (Mr. Bradlaugh). If a different question is put on the Paper I will answer it.



\*MR. BRADLAUGH: Would the words "no instructions" used by the Commissioner of Police include telegraphic directions from Scotland Yard to the local police?

MR. MATTHEWS: Undoubtedly, Sir. If any such telegraphic communications have been sent I ought to have been informed of it, and I should not have given a negative as an answer.

#### BOW CEMETERY.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Secretary of State for the Home Department if he intends to take any action on the Petition of the Mile End Vestry about Bow Cemetery?

MR. MATTHEWS: The resolution of the Mile End Vestry, which was in favour of closing Bow Cemetery, was referred by me to the Inspector of Burial Grounds, and he reports that, though the cemetery is gradually filling up, there is still room for common graves to be made. The cemetery has been placed under regulations sufficient to prevent any injury to the public health, and the Inspector has instructions to satisfy himself, by occasional visits, that these regulations are duly and fully observed.

#### MALTESE MARRIAGES.

MR. SUMMERS (Huddersfield): I beg to ask the Under Secretary of State for Foreign Affairs whether many mixed marriages, that is to say, marriages between Protestants and Catholics, have been celebrated in Malta during the present century, especially by the English chaplains resident there; and whether the project of law which the British Government has announced is to be introduced in the Council of Malta will have the effect of invalidating such marriages, and of rendering their issue illegitimate?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): It is believed that marriages between Protestants and Catholics have been celebrated by English chaplains in Malta, but that the same marriages have also been celebrated by the Roman Catholic priests. Care will be taken that the project of law to be

introduced in the Council of Malta shall not have the effect of invalidating any past marriage.

#### THE RIDLEY COMMISSION.

MR. ROYDEN (Liverpool, W., Toxteth): I beg to ask the Secretary to the Treasury if it is intended that the provisions of the Treasury Order, dated 10th August, 1889, which gave effect to the recommendations of the Ridley Commission, and which are now under the consideration of the Treasury, on their application to the clerks of the Customs in London, will also be applied to the clerical staff of the Customs at Liverpool; and, if so, whether the Treasury will apply the same treatment to clerks of the present staff at both places whose positions are analogous?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I must ask the hon. Gentleman to defer this question until the House meets on the Monday after the holidays.

#### THE CORPORATION "DESTRUCTOR."

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the President of the Local Government Board whether he is aware that the nuisance (to which his attention was drawn in June last) arising from noisome smoke issuing from the chimney of the "destructor" belonging to the Commissioners of Sewers of the City of London, situated at Lett's Wharf, still continues; that it was particularly offensive on the 15th instant; and that complaint has been made to the Lambeth Vestry by Mr. Shiel, Police Magistrate; and whether he will take further, and effectual, steps to abate the nuisance?

\*MR. RITCHIE: I am informed by the Commissioners of Sewers of the City of London that the inquiries which they have made lead to the conclusion that the noisome smoke nuisance complained of does not proceed from the chimney of the "destructor" belonging to them, which is situated at Lett's Wharf. The Vestry of Lambeth, within which parish is the wharf referred to, state that there appears to be little doubt that smoke issues from the chimney of the "destructor," which gives out a faint, sickly smell, but the Vestry have never been able to obtain from the Medical Officer of Health a statement that such smell is

dangerous to health. In the absence of this evidence the Vestry have been unable to take any action, except to keep a watch on the wharf from time to time. Looking at these replies, I will direct one of the Inspectors of the Local Government Board to inquire and report to me on the subject.

**MR. STAVELEY HILL** (Staffordshire, Kingswinford): As the matter is one which is causing a good deal of feeling, will the right hon. Gentleman receive any Memorials upon it?

**\*MR. RITCHIE**: Certainly, Sir. I am glad at any time to receive communications bearing on matters connected with my Department.

#### SEA FISHERY COMMITTEE.

**MR. ROWNTREE** (Scarborough): I beg to ask the President of the Board of Trade if, before publishing any Order for the formation of a Sea Fishery Committee for the coast from the Tees to the Donna Noth Beacon, he will consider the practicability of awarding at least two members to each considerable fishing port, so that the skilled fishermen of the ports may be represented on the Committee as well as the owners and other persons interested in the trade?

**\*THE PRESIDENT OF THE BOARD OF TRADE** (Sir M. HICKS BEACH, Bristol, W.): The question of the representation of the fishermen does not form part of the Order creating the Sea Fisheries District. As soon as the Order shall have come into force, the County and Borough Councils will appoint one-half of the Committee out of their own body. The other half of the Committee will consist of fishery members; and in making their selection I am most anxious to secure the services of representatives of all fishing interests, including, of course, skilled and practical fishermen.

#### LOCAL GOVERNMENT BOARD— MEDICAL REPORTS.

**MR. ROWNTREE**: I beg to ask the President of the Local Government Board if arrangements can be made to furnish copies of the Medical Report of the Local Government Board to the Medical Officers of Health in the more important centres of population without

imposing upon them the cost of procuring them as private individuals?

**\*MR. RITCHIE**: The Local Government Board cannot undertake to supply generally to the Medical Officers of Health of the more important centres of population copies of the Reports of the Medical Officer of the Board as suggested. At the same time, I am fully aware that the Reports referred to would be of considerable assistance to the Medical Officers of Health in connection with their duties, and I think that the Sanitary Authorities would be justified in purchasing copies for the use of the authorities and their officers.

#### WESTERN AUSTRALIA CONSTITUTION BILL.

**MR. STANLEY LEIGHTON**: I beg to ask the First Lord of the Treasury whether, in view of the great interest which is taken, not only in Western Australia but in all the other Australian Colonies, in the passing of the Western Australia Constitution Bill, he can state on what day the next stage of the Bill will be proceeded with?

**\*THE FIRST LORD OF THE TREASURY** (Mr. W. H. SMITH, Strand, Westminster): I am not yet in a position to state on what day the next stage of the Western Australia Constitution Bill will be taken.

#### SUGAR CONVENTION BILL.

**SIR LYON PLAYFAIR** (Leeds, S.): I beg to ask the First Lord of the Treasury whether the Government consider that they have the power, and whether they have the intention, to ratify the Sugar Convention Bill without the previous consent of Parliament?

**\*MR. W. H. SMITH**: It does not appear to us that the Sugar Convention can be ratified consistently with the obvious intention of its provisions until the legislation which is necessary to carry it into effect has received the sanction of Parliament.

#### THE GOVERNMENT LICENSING PROPOSALS.

**MR. A. C. CORBETT** (Glasgow, Trade-ston): I beg to ask whether the Government have any further information regarding the public meeting in

Bridgeton, which the President of the Local Government Board quoted as an indication of public sympathy with the Government proposals which conflicts with the facts stated in the following telegram:—

"From inquiries made find that it was publicans not public meeting in Bridgeton; about dozen present. Brown, the sender of telegram to Ritchie, is a publican.—(Signed) MACKAY."

SIR W. LAWSON (Cumberland, Cockermouth): Are the Government prepared to make any statement on the subject?

\*MR. W. H. SMITH: I have no information on the subject. It is usual when an hon. Member asks a question of this character to give notice of it.

#### DISTRESS IN THE SOUDAN.

MR. HOWORTH (Salford, S.): I beg to ask the Under Secretary for Foreign Affairs whether he has received any information as to the appalling condition of the people at Suakin, Kassala, Berber, and elsewhere? Perhaps I may be allowed to read the following extracts from letters I have received:—

"You have no idea of the awful state the country is in. The population are actually starving, and the people are like living skeletons. The greatest misery is amongst the widows and children of the men we have killed, of whom there are over 100,000. Cannibalism has taken place; everything has been eaten; dogs, cats, rats, donkeys, snakes, lizards, old bones, and leather are eagerly devoured; and the stronger take by force from the weaker. I have seen a big boy seize a small one and try to strangle him for the food that was in his mouth. This is at Suakin. At Tokar things are worse. From 50 to 100 and sometimes more die daily. Kassala they say is still worse, whole families being found dead in their houses. At Gallabat and Gedair the population nearly cease to exist. At Berber, Shendy, and Metemmeh the same. At Halaib, Mahamed Ghoul, and Aghig the distress is also intense."

I beg to ask the Under Secretary whether, considering our national responsibility, we ought not to be prepared to take further measures to alleviate the distress, or whether an official communication cannot be made to the Lord Mayor to call a meeting to consider this exceptional and dire distress?

\*SIR J. FERGUSSON: The hon. Gentleman showed me the question as I came into the House. I answered a similar question a few days ago, and I

*Mr. A. C. Corbett*

then stated that the Government have every reason to believe that distress in the Soudan is extreme, principally owing to the failure of the crops in successive years—a failure that has produced a state of things with which the Government are unhappily acquainted in India when actual famine has occurred. Some of the figures of the hon. Member are, I think, exaggerated, but, notwithstanding, the Government are informed that there is extreme misery, and that many widows of persons killed in the war are in a state of destitution. The places in the interior are entirely beyond our jurisdiction or control. In the neighbourhood of Suakin the officials of the Egyptian Government are giving liberal supplies to the necessitous. The last account states that at the least 2,000 a day are being fed, and that the worst cases are being treated in the hospital. No doubt a great many deaths have occurred, and there is room for benevolence in the shape of relief; but, as regards the interior, it is not in the power of the British or of the Egyptian Government to give any relief.

#### THE BEHRING SEA FISHERIES.

MR. STAVELEY HILL: I wish to put a question to the Under Secretary for Foreign Affairs, of which I have given him private notice, namely, whether he has seen in the newspapers a telegram to the effect that a United States Revenue cutter has been ordered to cruise in the Behring Sea, and to dismantle any vessel violating the Statutes? I wish to know whether the British Government have given instructions for the protection of our vessels engaged in their legal trade?

\*SIR J. FERGUSSON: In answer to my hon. Friend, I can only say that as communications on this subject are still proceeding, I am not at present in a position to make any further statement with respect to it.

MR. S. HILL: In view of the grave public importance of the matter, I beg to give notice that I will bring it before the House on the Motion for Adjournment.

#### THE WHITSUNTIDE RECESS.

MR. ESSLEMONT (Aberdeen, E.): I wish to ask the First Lord of the Treasury whether he will extend the

same consideration to Scotland as he has to Ireland, and undertake that no Scotch business should be taken in the first week after the Recess? I wish, at the same time, to express my personal obligations to the right hon. Gentleman for the extension of the holidays.

\*MR. W. H. SMITH: If it is the wish of hon. Members from Scotland that no Bill affecting Scotland should be taken during the first week I will endeavour to comply with it. It is probable that some measure may be taken that might refer in a general way to Scotland, but that would hardly come under the hon. Member's objection.

MR. B. ROWLANDS: When will the Tithes Bill be taken?

\*MR. W. H. SMITH: Probably on the first Thursday after the holidays.

MR. SEXTON: The Chancellor of the Exchequer promised to announce what course would be taken in regard to Supply after Whitsuntide.

\*MR. W. H. SMITH: So little time has elapsed since that statement was made by my right hon. Friend that the Government have been unable to consider the question, and I cannot state the exact course that will be taken.

MR. SEXTON: I will renew the question on the Motion for Adjournment.

#### MEETING AT NEW TIPPERARY.

MR. SEXTON: May I ask whether, in view of the extensive arrangements which have been made for the meeting at New Tipperary next Sunday, when many public men will be present, and excursion trains run, the Government intend to exercise their powers to suppress the meeting? I think it would probably be inconvenient, if not dangerous, to allow the matter to remain as it is.

MR. MADDEN: The Chief Secretary, in answering the question yesterday, gave all possible information on the subject, namely, that a meeting of a certain character could not be allowed. I understand that at the time my right hon. Friend gave that answer no formal announcement had been made as to the character of the meeting. The authorities must hold themselves free to act in the matter as they think best for the preservation of the peace of the locality.

MR. SEXTON: The House will agree that an intolerable situation is created. Everybody knows what has been arranged. Four Members of Parliament intend to address an open-air meeting of their constituents. I ask the right hon. and learned Gentleman to define what kind of meeting is to be prevented and what kind allowed.

MR. MADDEN: I would suggest that the hon. Gentleman should repeat the question on the Adjournment, when the Chief Secretary for Ireland will be in his place.

MR. SEXTON: Very well.

\*MR. C. GRAHAM: I wish to ask whether, if the people insist on assembling, force will be used to suppress the meeting; and, if so, whether that pillar of our civilisation, the Hotchkiss gun, will be employed?

\*MR. SPEAKER: Order, order!

#### PUBLIC HOUSE LICENCES.

Return ordered—

"Showing the number of Public Houses that have a certificate from Licensing Justices, but whose owners, in respect to whom the certificates have been granted, have not applied to the Excise for an Excise Licence."—(*Mr. Labouchere.*)

#### MERCHANT SHIPPING ACTS AMENDMENT BILL.—(No. 220.)

Lords Amendments to be considered upon Monday 2nd June, and to be printed. [Bill 317.]

#### MOTION.

#### BUSINESS OF THE HOUSE (GOVERNMENT BUSINESS.)

\*(245.) MR. W. H. SMITH: I rise to move the Resolution which stands upon the Paper in my name, namely,—

"That after Whitsuntide, unless the House otherwise order, the House do meet on Tuesday and Friday at Three of the clock, and that Government business have priority on Tuesday; that Standing Order 11 be suspended, and the provisions of Standing Order 56 be extended to the other days of the week."

I can assure the House that no explanation is necessary for my making this proposal. The circumstances of public business require it, and I hope it will be accepted without much discussion. I observe that the hon. Member for Crewe

(Mr. M'Laren) has an Amendment on the Paper to exclude from the operation of the Resolution Tuesday, June 3, so that the Motion on the extension of the franchise to women may be discussed. I would suggest, however, to the hon. Member that instead of moving an abstract Resolution on that subject he should, early next Session, bring in a Bill dealing with the question, and so test the feeling of the House in that way.

Motion made, and Question proposed,

"That after Whitsuntide, unless the House otherwise order, the House do meet on Tuesday and Friday at Three of the clock, and that Government Business have priority on Tuesday; that Standing Order 11 be suspended, and the provisions of Standing Order 56 be extended to the other days of the week."—(*Mr. William Henry Smith.*)

(248.) MR. CAMPBELL-BANNERMAN (Stirling, &c.): I am very much surprised that no reason has been given for a Motion which, at this period of the Session is absolutely unprecedented. But, while expressing my astonishment on that point, I am bound to say that, having regard to the deplorable condition of the public business, my right hon. Friends on this side of the House have already indicated, in what passed yesterday, that they do not intend to oppose the demand of the Government. The condition of business in the House is indeed deplorable, and I do not think that it has been so bad for many years. Up to now only six nights of the Session have been devoted to Supply, whilst in 1888, which was supposed to have been a particularly backward year, eight nights were devoted to Supply before the end of May, so that matters are really worse now than they were in 1888. But let me point out the great difference between this year and 1888. In 1888 the legislation of the House was sympathised with and generally approved of, while this year, unfortunately, the Government have so contrived that every Bill of the first class which has been introduced is not only objectionable in its details, but objectionable in its main objects, so that behind the legislative business there is no such momentum as in 1888. I am very much mistaken if even the supporters of the Government, to whose loyalty and constancy I am

*Mr. W. H. Smith*

willing to pay a tribute, do not give their support with much reluctance and with very grave misgivings as to the wisdom of the measures for which they vote. The obvious remedy for the present backward state of business is for the Government to sacrifice certain of their measures, and they will have to do so before the end of the Session. But, in the meantime, considering that the necessary business of Supply and the whole condition of affairs are so backward, I do not think it is altogether unreasonable on the part of the Government to make a large claim upon the indulgence of the House. Nor can I forget that upon private Members' nights we have had a number of counts out, which further strengthens the claim of the Government. But while I am not prepared to resist the Motion, I must protest against the Resolution being looked upon as a precedent, inasmuch as it is only accepted in consequence of the backward state of the public business, which is due to the mismanagement of the Government. I am sorry that the Government have not resolved to take Day Sittings on Tuesdays and on Fridays, and to devote the Evening Sittings on those days to Supply. However, as the Government have decided otherwise I will not raise an objection to the Motion on that score. I do not think that hon. Members will vote against the Government proposal, however much they may dislike it, because I think that, in the circumstances of the Session, the proposal is justifiable.

(255.) MR. SEXTON: I wish to move an Amendment to the proposal of the Government which will come in earlier than the Amendment of the hon. Member for Crewe. I wish to point out that if the proposal of the Government is adopted there will be no opportunity for bringing forward grievances. Although £7,000,000 have already been voted in Supply, not a single penny of Irish Supply has been taken up to the present time, and, therefore, no regular opportunity has been afforded for discussing Irish grievances. The hon. Member for Cork (Mr. Parnell) holds a strong view that the proposal of the Government should not be assented to unless an undertaking is given that Supply shall be taken regularly once a week after Whitsuntide. As a matter

of protest, I shall oppose the Motion, unless the right hon. Gentleman gives an assurance that after Whitsuntide Supply will be taken at least once a week, and I beg to move to amend the Resolution by inserting after the word "Whitsuntide" that "Supply be taken at least one day in every week."

Amendment proposed, after the word "Whitsuntide," to insert the words "Supply be taken at least one day in each week and."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

\***MR. W. H. SMITH:** I am sorry the hon. Member has thought it necessary to move a formal Amendment. It is one to which I cannot consent, because, in the making of arrangements for business, it is necessary the Government should have their hands free, so that they may adopt the course that is most convenient to the House, as a whole, and most conducive to the progress of business. The arrangement for the first week after the recess includes two days for Supply, at least—Monday and Tuesday. I am sure the House will see it is impossible for the Government to have their hands tied by a Resolution of this kind. The Government wish, as far as they can, to consider the convenience of hon. Members. The suggestion that the House should meet at 3 o'clock meets, I understand, with the concurrence of a majority of Members, for many Members rather object to coming down at 2 o'clock and again at 9 o'clock. This is a matter about which the Government have no strong feeling; but it is one they are bound to consider with reference to the conduct of business and the convenience of the House as a whole. In these circumstances I trust the hon. Gentleman will accept my assurance that I will endeavour to make progress in Supply as rapidly as I can.

**MR. SEXTON:** It is not rapidity I ask for, but regularity.

\***MR. W. H. SMITH:** At all events, the hon. Gentleman will see that whoever is in charge of the business could not accept a positive direction of this kind, under which it would be absolutely impossible to conduct the business. When the House gets into Committee on a Bill, I believe the House is in favour of pro-

ceeding with it from day to day until the Bill is through Committee. The Government will at all times be glad to give the most careful consideration to suggestions from any part of the House with a view to making such arrangements as will, on the whole, best meet the convenience of hon. Members.

\*(3.5.) **MR. BRADLAUGH** (Northampton): In making future arrangements for the conduct of public business in this House there are two Government measures to which I wish to draw special attention. One is a Bill which has been sent down from the House of Lords—the Indian Councils Bill—in regard to which the right hon. Gentleman the First Lord of the Treasury is under a specific pledge to the House. I will only remind the House that I refrained from raising any question on this subject by Amendment to the Address on the distinct understanding that at least a real opportunity would be afforded for discussion. One of the matters which I should have felt it my duty to urge was the question of the extension of the Legislative Councils of India and the introduction of some principle of representation in reference to members. Although that Bill came down to this House from the House of Lords before Easter it has never yet been put down on the Paper as the First Order or even as an early Order. I am not prepared to deny that there is great pressure upon the Government in reference to public business, but I would venture to suggest that some day soon after the re-assembling of the House after the Whitsuntide recess might be fixed for the Second Reading of the Bill, so that hon. Members may know when it will be taken, and might be prevented from coming down day after day, simply because the Bill is on the Paper, with very little prospect of its being brought on. The question is a very grave one, affecting, as it does, the interests of more than 210,000,000 persons in India, and as I refrained from raising any Indian question upon the Address I think I am entitled to make this demand. All that I ask is that the Bill may be taken on an early day, and that a couple of days' notice may be given, so that Members may not come down fruitlessly. The next measure is the Employers' Liability Bill. The Government have

been under a pledge, repeated for years in succession, to amend the law, but they have made no real effort to do so. In 1888 they did introduce a Bill which went before a Grand Committee, but it was not introduced at all last year, and in its present state it would raise more discussion than the earlier Bill did. The Bill has been mentioned three times in three Queen's Speeches, and the Government ought to let the House know whether it is to be persevered with now.

(3.10.) MR. MUNRO FERGUSON (Leith, &c.): May I ask what is going to be done about Scotch Private Bill legislation?

\*(3.11.) MR. C. GRAHAM: I wish to support, as strongly as I can, the claim for time to discuss the Employers' Liability Bill, and also to urge that the Miners' Eight Hours Bill should receive some attention. Both of these are measures of vital importance to the working classes, and at the earliest moment they ought to be discussed by the House, in order to convince the working classes that we do sometimes occupy ourselves with their affairs. The Miners' Eight Hours Bill has also been introduced for three successive years, and it is a measure upon which we have had a distinct expression of opinion from a large majority of the persons concerned. A conference of miners, representing 350,000 men, have unanimously declared in favour of the Bill. Then, again, there is an important measure which affects the extension of the Parliamentary Franchise to Women. On this side of the House we have received a whip to-day asking us to support the Motion of the hon. Member for Crewe to secure a discussion of this measure on the 3rd of June.

\*MR. SPEAKER: Order, order! The hon. Member is now discussing a Motion in regard to which there is a notice already on the Paper.

(3.13.) MR. LABOUCHERE (Northampton): I am not convinced that there are a majority of miners in favour of the Eight Hours Bill. In reference, however, to the remarks of the First Lord of the Treasury, I fear that he does not quite appreciate the motive with which the Amendment has been moved by the hon. Member for West Belfast (Mr. Sex-Mr. Bradlaugh

ton), which is that Supply should be fairly taken at a reasonable period of the Session, and not put off to the close of the Session, to be taken under pressure and in a perfunctory manner. What is desired is that Supply should not be put off until the far end of the Session, and then run through in one day.

(3.14.) MR. PHILIPPS (Lanark, Mid): I must remind the Government that hopes have been held out that the Eight Hours Bill would have been discussed before this period of the Session. There are many thousands besides miners who wish to have this question discussed.

(3.15.) MR. SHAW LEFEVRE (Bradford, Central): I do not believe that business has ever before been so backward at this period of the year. In the last three Sessions the average number of days required for Supply has been 37; and last year at this date 20 had been already given to Supply, and in the previous year 10 had been devoted to it, in spite of which it was necessary to have an Autumn Session, in which 22 days were given to Supply in the months of November and December. In the present year only seven days have been devoted to Committee of Supply, and between the present time and August 20 there are only 44 days which could be devoted to Government business. If 30 of these are given to Supply, to make up the customary 37 days, only 14 will be left for other Government business. There ought to be an understanding that a reasonable proportion of the remaining time will be given to Supply. Personally, I should have been glad if the Morning and Evening Sittings were continued—[Cries of "No, no!"]—but at least one day a week ought to be given to Supply. I hope the leader of the House will take the figures I have given into consideration. Our real difficulty has been caused by the ambitious Budget of the Chancellor of the Exchequer and the introduction into the Customs and Inland Revenue Bill of highly contentious matters, which have already occupied the attention of the House for 11 days.

(3.20.) The House divided:—Ayes 53; Noes 117.—(Div. List, No. 107.)

Main Question again proposed.

\* (3.32.) MR. M'LAREN (Cheshire, Crewe): I beg to move as an Amendment, after "Tuesday," to insert—

"Except on Tuesday, June 3, when the first Notice of Motion, Parliamentary Franchise (Extension to Women), shall take precedence."

I am obliged to the First Lord of the Treasury for the kindly tone in which he referred to this Amendment, but I would point out to the right hon. Gentleman that the advice which he has given to me is advice which I cannot possibly accept. If my Motion were to be carried, the subject to which it refers would certainly be considerably advanced in Parliamentary importance. It should not be forgotten that earlier in the Session—on March 4th—I obtained precedence by the Ballot for a Motion similar to the one which now stands in the name of my hon. Friend the Member for the Leigh Division of Lancashire (Mr. C. Wright), but the exigencies of the business of the Government rendered it necessary that I should give up that day. On that occasion I asked the First Lord to promise that he would not again take our day away, and he said he would not do so mischievously or wilfully. He is now breaking the spirit of that promise, for there is no need to take this evening. I will suggest instead that the Government should take Wednesday, June 4, which is the Derby Day, for their business instead of taking four hours on the previous evening, which would do them very little good indeed. The opportunity is not taken away by the mere exigencies of public business. There is always what I must call an intrigue to prevent the subject of Women's Suffrage being discussed, and it is a matter of common notoriety that the senior Member for Northampton has a full share in making these arrangements. I do not say that the First Lord of the Treasury knows of it; perhaps these things are purposely kept from his knowledge, in order that he may be in a position to deny them. But they are within the knowledge of his Whips. I now press the Government to leave us one evening of four hours. We have had great ill-fortune with this Bill. In 1887, it had the first place on the Paper on July 20th, and that day was taken from us by the Govern-

ment, on the plea of the exigencies of public business, although they refrained from giving us a day later on in the Session. In 1888 we had a very good place on June 6th, and we lost that day owing to the operation of the new Rule under which Bills not read a second time before Whitsuntide lost precedence. In 1889, one of my hon. Friends had first place for this Bill on the Wednesday before Good Friday, and a Memorial, signed by 170 Members, was presented to the First Lord, asking him to allow us to sit on that Wednesday. I am aware it is not a usual thing to sit on that day; but the Government have no hesitation in appointing Wednesday Sittings when they desire to get a stage of the Coercion Bill, although they seem to hold very different views when a Women's Suffrage Bill is under discussion. On the 25th April this year this Resolution stood second on the Paper, the first Motion thereon having reference to the duties on dried fruits. The Member who had that Motion on the Paper persisted in keeping it down in order to prevent the Women's Suffrage discussion taking place, though his subject had been dealt with in the Budget, and as I did not see why we should try to keep the House for him under those circumstances, I consequently took this Motion off the Paper, and immediately I had done so that hon. Member removed his Motion. I have reason to believe a similar arrangement has been made in regard to Tuesday, 3rd June. Now, I think we are making a reasonable request in asking the Government to defer the operation of the Motion they are proposing now until Friday, 6th June. The right hon. Gentleman, in moving his Resolution, said that four hours was, no doubt, a very short time, but a great deal of business could be done in it if the House only chose. Now, the right hon. Gentleman knows perfectly well that on the 4th June we are going to waste six hours by not sitting on that day, which is Derby Day; and I will make a practical suggestion to him, that the Government should take their business on Wednesday, the 4th June, and give us this Tuesday. The right hon. Gentleman refuses. That only shows what a sham



is his plea about the necessity of taking our four hours. We are now three or four months from the end of the Session. We desire to get a discussion on this question. It has been agitated a very long time by a large number of women throughout the country, and I appeal to hon. Gentlemen opposite to do us this justice, and allow us to debate the matter. One of the women who have been most actively engaged in this movement asked me the other day why we were prevented having a Debate—

\*MR. SPEAKER: Order, order! The hon. Member is not adhering to his Amendment.

\*MR. M'LAREN: Well, then, Sir, I will simply say I ask the House to pass my Amendment simply as an act of justice. As the subject has been deliberately shelved by this Parliament, I intend to divide the House.

Amendment proposed, in line 4, after the word "Tuesday," to insert the words—

"Except on Tuesday, 3rd June, when the first Notice of Motion, Parliamentary Franchise (Extension to Women), shall take precedence."—(*Mr. Walter M'Laren.*)

Question proposed, "That those words be there inserted."

\*(3.45.) MR. WEBB (Waterford, W.): I rise to second the Amendment, as this is a subject in which I take great interest. I desire to put forward some reasons why this question should be discussed. There are a large number of reasons—

\*MR. SPEAKER: Order, order! That line of argument is not in order.

\*MR. WEBB: The question has been before the House on many occasions since 1870, and on many grounds it is desirable—

\*MR. SPEAKER: Order, order!

\*(3.47.) MR. CREMER (Shoreditch, Haggerston): It is not often that I indulge in the luxury of voting with the Government, but on this occasion I shall certainly avail myself of the opportunity of going into the Lobby with them. I do not share the views which have been expressed by the hon. Member for Crewe. There are questions of far greater importance requiring debate than that of

*Mr. M'Laren*

female suffrage. For instance, only the other night, by tactics which some of us took occasion to condemn, we were prevented discussing the grievances of a large number of working men—a subject which was to have been brought forward by the hon. Member for Woolwich. Then, again, there is the registration of voters question. Many of us—most of us I believe—desire to get rid of the anomalies that surround the present system; but we have never yet, either by Bill or by Resolution, succeeded in getting a day to consider that question, which is of supreme importance. The hon. Gentleman is, therefore, not alone in the difficulty of which he complains. In the early part of the Session I was fortunate enough to get a good place for the consideration of a Registration of Voters Bill which I have brought in for four years, but the right hon. Gentleman the First Lord of the Treasury deprived me of the opportunity. I had just as much right to complain as has the hon. Member for Crewe, but I did not come down to the House with a whine on that occasion, but have ever since been trying for another chance to bring it forward. Then, again, there is the question of the water supply of London, which vitally affects the millions of people of London, and which we are anxious to get discussed. Many other questions also press for solution, all of them of far greater importance than that which the hon. Member for Crewe is anxious for the House to consider.

(3.50.) MR. LABOUCHERE: I intend to indulge in the same luxury as the hon. Member who has just spoken and to vote with the Government. My hon. Friend the Member for Crewe ascribes to design what really was chance. It is a mere chance that the hon. Gentleman has no opportunity of bringing forward his Resolution. As one of his own fair clients, the Duchess of Gerolstein, said, it is fatality. The hon. Member has accused the First Lord of the Treasury and myself of intriguing in order to prevent this Resolution from being brought forward. I am sure the right hon. Gentleman the First Lord will allow me to protest in his name that there has been no sort of intrigue. The position of the hon. Member for Crewe

is, I repeat, due solely to chance. He has referred to the fact that on one occasion a Memorial was presented to the First Lord asking him to pursue the exceptional course of making a House on the Wednesday before Good Friday, and he suggests that, owing to certain intrigues, that privilege was refused him. The hon. Gentleman forgets that there was another Paper signed—and signed by a large number of Members—against his proposal, and that, possibly, will account for the refusal of the First Lord to adopt his suggestion. Again, the hon. Gentleman complains that on the occasion on which he had secured second place for his Motion, the hon. Member for Glasgow would not yield to him and withdraw his Resolution upon dried fruits. He also states that, immediately he had taken his Motion off the Paper, the hon. Member for Glasgow also removed his, and this he quotes as another instance of intriguing against him. But the hon. Member for Glasgow had a reason for what he did. He spoke to me on the subject. He pointed out to me that he did not want to be interrupted in the middle of his speech by a count, and he asked what course he should take. I told him I thought it was a pity that he should only be able to deliver a portion of his speech, and that it might possibly be as well for him to choose a better moment for bringing it forward. That is why he took it off the Paper. Now, I am a person of principle. I have always opposed Ministers taking private Members' nights, and, consequently, I am opposed to this Motion of the Government. But I have another principle upon which I act, and that is, that, when once such a Motion is carried, it is not wise to make exceptions in favour of anyone. I sympathise greatly with my hon. Friend in his disappointment; but I cannot consistently support his Amendment, because if it were carried it would be my duty to move a series of Amendments, asking that about 20 subjects should be exempted from the operation of this rule. Under these circumstances, I think it is no use further debating this Amendment, and that we may as well take a Division on the proposal of the First Lord of the Treasury. The hon. Member for Crewe has simply been

unlucky, and he will have to grin and bear it.

(3.56.) **SIR R. KNIGHTLEY** (Northampton, S.): I think it is time some protest was made against this fresh raid on the rights of private Members. We have some right to complain of the mode in which this Motion has been brought forward. Had we had fair notice we might have secured an attendance of Members sufficient to defeat it; but as it is, we are completely powerless. The right hon. Gentleman the First Lord of the Treasury has got us by the throat. I do appeal, however, to that amiable garrotter to make this one exception to his Resolution.

(4.0.) The House divided:—Ayes 32; Noes 145.—(Div. List, No. 108.)

Main Question again proposed:

(4.10.) **VISCOUNT CRANBORNE** (Lancashire, Darwen): I desire to thank the First Lord of the Treasury and the Government on behalf of a great number of Members greatly interested in the Tithes Question for having promised to put down the Tithes Bill for the first Thursday after the Recess. I hope I may take that promise to imply a determination on the part of the Government to pass the measure with all due despatch. I am not disposed to blame the Government for having so long delayed progress with the Bill. I know the circumstances of the last few days have made it impossible to redeem the promise made that the Bill should be taken before Whitsuntide. At the same time, however, we cannot, in face of the history of the question, view without some anxiety the postponement of the Bill until a later day than was originally promised. Although I have every reason to suppose my right hon. Friend intends to pass the measure with all due despatch, in consideration of the fact that there is considerable agitation in the country on the question—and in matters of this kind, when agitation once begins, it is better to have the question settled one way or the other—I urge upon the First Lord to risk nothing. I hope we are to understand that the Bill will be passed this Session.

MR. F. S. STEVENSON (Suffolk, Eye): The right hon. Gentleman has not said whether the Tithes Bill will be the first Order on that day.

\*(4.12.) MR. W. H. SMITH: I shall not put it down late.

MR. CAMPBELL - BANNERMAN: Is it to be *the* business?

\*MR. W. H. SMITH: Certainly. The right hon. Gentleman opposite (Mr. Shaw Lefevre) thinks that the state of business is due to the fact that the Government have not proposed measures entirely agreeable to the Opposition. It is very singular that they have not done so. Right hon. Gentlemen opposite have themselves done what the Government now propose for the promotion of public business. I will leave it to the right hon. Gentleman to say how far the prolonged Debates upon the Budget Bill and other measures of the Government will account for the condition of business. The Government cannot propose measures to Parliament with reference solely to the views of the Opposition. They must have regard to what they believe to be for the public interest. I recognise the claim of the hon. Member (Mr. Bradlaugh) for the early consideration of the Indian Councils Bill, and it shall be brought forward so as to give him an opportunity of stating his views upon it. With regard to the Employers' Liability Bill, I desire that it shall be read a second time and considered again by a Committee, and I hope the result will be, what the Government very much desire, to settle the question in the interest of all parties. Supply will be taken on the Monday and the Education Estimates on the Tuesday after the holidays.

(4.16). Question put, and agreed to.

Resolved—

"That after Whitsuntide, unless the House otherwise order, the House do meet on Tuesday and Friday at Three of the clock, and that Government business have priority on Tuesday; that Standing Order 11 be suspended, and the provisions of Standing Order 56 be extended to the other days of the week."

## ORDERS OF THE DAY.

### CUSTOMS AND INLAND REVENUE BILL.—(No. 231.)

#### THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

(4.18.) SIR W. LAWSON (Cumberland, Cockermouth): I do not want to occupy the time of the House unduly, and I do not want to prevent hon. Members getting away for their holidays, but some hon. Members on this side of the House feel that on every occasion they must oppose this Bill. They look upon it as part and parcel of the whole scheme for the compensation of publicans and the endowment of public house property. They can see the evil which this Bill is already doing. Accounts are arriving from the country as to the increase in the value of public house property since the measures of the Government have been before the House; and it is clear that if this goes on there will be a very heavy burden placed on the public. Two days ago the President of the Local Government Board said that he had received a telegram giving an account of a public meeting in Glasgow in support of the measure. The public meeting turned out to be a meeting of 12 publicans in a back parlour. That is the public opinion in support of the Government on this occasion. We would consider ourselves to be absolute traitors to our constituents and to the public good if we did not on every possible occasion offer every possible opposition to the passing of the most mischievous and most abominable measure which even this Government has proposed. I beg to move that the Bill be read a third time this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir Wilfrid Lawson.*)

Question proposed, "That the word 'now' stand part of the Question."

(4.21.) MR. SHAW LEFEVRE (Bradford, Central): I merely wish to ask the Chancellor of the Exchequer why it is

a Return I moved for 10 days ago showing the military expenditure during the present year has not been already laid before the House? It is as well we should have had the Return before the Third Reading of this Bill, because I think it will be found we are spending for military purposes £4,000,000 or £5,000,000 over and above the amount provided for by taxation.

\*(4.23.) **MR. WINTERBOTHAM** (Gloucestershire, Cirencester): I had no opportunity on the Second Reading of entering my protest against the Bill. I therefore wish to join with my hon. Friend the Member for Cokermonth (Sir W. Lawson) in opposing the Bill. I look upon the Bill as introducing a principle most disastrous and most mischievous. I am informed by a leading man in the City that the shares of those large Brewery Companies interested largely in tied public house property are going up day by day since the policy of the Government on this point has been initiated. Whatever the good intentions of the Government may be, the actual effect of their policy is seen in the augmented value of public house property and brewery shares.

(4.24.) **MR. T. FRY** (Darlington): As I, too, had not an opportunity upon the Second Reading, I wish at this stage to join in the protest against this Bill. I think the Chancellor of the Exchequer must now be satisfied that public opinion is growing exceedingly fast against this measure. I hope the right hon. Gentleman will find time on Saturday week to attend the Hyde Park meeting and see the large numbers who will flock to the Park to protest against the Government proposals. Reference has been made to the character of the public meeting held in Glasgow. To some extent the same remarks will apply to the meeting of the Church of England Temperance Society. Hon. Members have read that Canon Wilberforce has said he will never again go to a meeting of that body until the Council have purged themselves from the invitation which they have issued to their members to support the licensing proposals of the Government.

(4.25.) **MR. SEXTON** (Belfast, W.): The right hon. Gentleman has promised a Select Committee to consider the financial arrangements as between the three countries. I suppose the Motion for the appointment of a Committee will appear in the Orders of the Day immediately after Whitsuntide. As to the Irish share of the money, I should also like to have a Return showing how the money is to be distributed during the first financial year, and eventually between the several counties and the corporations as soon as the principles of Local Government are extended to Ireland.

(4.27.) **THE SECRETARY TO THE TREASURY** (Mr. JACKSON, Leeds, N.): I am sorry that it has not been possible to present the Return asked for by the right hon. Member for Bradford. I had hoped to present the Return yesterday, but the right hon. Gentleman is aware that it refers to Navy expenditure as well, and this involves dealing with two Departments instead of one. It has been found that it is not possible to follow exactly the wording of the Return, or to give the figures in the form in which they are asked for. There is not much alteration, however. It is extremely important in presenting the Returns to remember that the Treasury become responsible for the accuracy of the figures, and we, therefore, ask for a little indulgence, in order that we may have time to examine the figures carefully. I hope to be able to present the Return on the first day after the recess.

\*(4.28.) **MR. S. GEDGE** (Stockport): Reference has been made to the action of the Church of England Temperance Society in this matter, and to the secession of the Rev. Canon Wilberforce. As everybody knows, Canon Wilberforce is a very extreme man. The action of the Society has been dictated by sound common sense, and by an earnest desire to promote true sobriety and temperance in every part of the country. It was because they recognised that the Bill was an honest and well-devised effort in that direction that they were glad to support it. If, as is alleged, brewery shares have gone up since the introduction of this Bill, the fact is solely due to the tactics of the Opposition. It is because of their constant misrepresentations of the scheme

that people outside who have not closely studied the Bills believe their statements to be true, and that the Government really propose to compensate the publicans. Believing these misrepresentations, they naturally rush to buy the shares. They will find they are mistaken, and that the Bill does not propose compensation. The scheme is voluntary, and need not be put into operation at all by the County Councils unless they like.

(4.30.) CAPTAIN VERNEY (Bucks, N.): I take the opportunity of expressing my opinion that there is no more hollow, unsecure Society to be found in England than the Church of England Temperance Society. I do not know of a single instance in which of two candidates before a constituency, the one in favour of temperance principles and the other not, the Church of England Temperance Society gave its support to the temperance candidate. I have never heard of a single instance. Canon Farrar has referred to the fact that of the 12 working-class Representatives in this House who are temperance men not one received support from the Church of England Temperance Society.

\*(4.31.) MR. GOSCHEN: I do not know whether it is expected that I should answer the questions that have been put. I cannot undertake that the names of the Committee shall be put upon the Notice Paper immediately after Whitsuntide. The nominations and terms of reference will require a good deal of reflection. The hon. Member will recall to mind that the right hon. Gentleman the Member for Newcastle (Mr. J. Morley) expressed some doubt whether the Committee could be appointed this Session. We shall do our best for this Session, and, if the Committee cannot be appointed at once, at all events, we will proceed without delay to put together the information to be laid before the Committee. As to the Return asked for, I will communicate with my right hon. Friend the Chief Secretary for Ireland, but, of course, the points mentioned can be raised on the Local Taxation Bill.

MR. SEXTON: It will be rather late then to enter upon it.  
*Mr. Gedge*

\*MR. GOSCHEN: Well, it shall be provided at the earliest possible date. I will confer with my right hon. Friend on the subject.

(4.34.) MR. HENEAGE (Great Grimsby): I only wish to say, in regard to the hollowness of the Church of England Temperance Society, that I think there is something more hollow in the declamations against the Society by hon. Members who support the hon. Baronet the Member for Cockermouth (Sir W. Lawson). Looking over the Amendment Paper I find the only Amendments of importance standing in the name of the hon. Member for Barrow (Mr. Caine) are those which emanate from the Church of England Temperance Society.

(4.35.) The House divided:—Ayes 141; Noes 67.—(Div. List, No. 109.)

Main Question put, and agreed to.

Bill read the third time, and passed.

#### CONTAGIOUS DISEASES (ANIMALS) (PLEURO-PNEUMONIA) BILL.—(No. 168.)

As amended, considered.

(4.45.) THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The new clause I have to propose has relation to the commencement of the Act. I have named the 1st of September next, on the assumption that the Bill will receive the Royal Assent by the end of June, and thus an interval of two months will elapse before it comes into operation.

New Clause, "This Act shall come into operation on the first day of September one thousand eight hundred and ninety," read a first and second time, and added to the Bill.

(4.46.) MR. CRILLY (Mayo, N.): In moving the new clause, of which I have given notice, I need not detain the House beyond a few minutes. I am glad to say that when the Bill was passing through Committee the right hon. Gentleman showed a certain amount of sympathy with the question which was raised by my hon. Friend the Member for Longford and myself, and promised to meet us as far as he could on the Report stage of the Bill. This new clause proposes to put some limitation upon the

powers and duties of the officers who may be appointed under the Act. As the Bill at present stands those powers are absolutely undefined; but we want to provide that those who carry out the provisions of the Bill shall take action within a certain time, and practically the right hon. Gentleman has assented to the first part of the clause, for I understand he proposes to insert 21 days in Sub-section 6 as the period within which the powers of compulsory slaughter shall be carried into effect; but what I want the right hon. Gentleman to do is, when the slaughter has taken effect, to declare the area free from infection as soon as possible. Suppose the slaughter has taken place within the 21 days, and it is found that the slaughtered cattle were actually not suffering from pleuro-pneumonia at all, but were perfectly free from that disease, then I say there should be no delay in declaring the area free from the disease. Without some limitation of time, that will happen which happens under the existing Act, that the officials will allow a great number of days to pass without taking action at all, simply from thoughtlessness or carelessness, and dairy-men and others will thus be subjected to an unnecessary amount of expense and annoyance. I by no means insist on the two days mentioned in the Amendment if the right hon. Gentleman thinks that a longer interval is necessary; but, at all events, there should not be an unlimited time left open. Then the other branch of my clause refers to the other contingency, that after slaughter it appears that the cattle were infected with the disease. Here I propose that, in the same way, there shall be a limit to the ban which is placed upon the area or place. Upon the best advice I can get, it appears that 56 days is a sufficient interval wherein to decide that infection has disappeared after the diseased animals have been slaughtered, and I provide that the loss and annoyance to the proprietor shall not have an indefinite continuance. It is too often the case that in legislation on this subject the interests of the owners is lost sight of, and the officials are left too free a hand. The right hon. Gentleman has shown sympathy with our object in inserting the 21 days' limit in the first instance, and I hope he will see his way to meeting

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us so far as to fix some definite limit within which the declaration shall be made.

#### New Clause—

"The Board of Agriculture shall, within five days from the putting in force of the powers given them by Sub-section 6, Section 16, of the principal Act, cause all suspected cattle to be slaughtered.

- (1.) Upon such slaughter being carried into effect, should it appear that such suspected cattle were not affected with pleuro-pneumonia then the Board of Agriculture shall within two days declare by order any field, shed, yard, or other place, where such suspected cattle may have been, free from pleuro-pneumonia;
- (2.) Upon such slaughter, should it appear that such suspected cattle were affected with pleuro-pneumonia, then at the end of 56 days from the date of such slaughter the Board of Agriculture shall declare by order any field, shed, yard, or other place, where such suspected cattle may have been, free from pleuro-pneumonia."

—brought up, and read the first time.

Motion made, and Question proposed  
"That the Clause be read a second time."

(4.53.) MR. SEXTON (Belfast, W.): I join with my hon. Friend in recognition of the spirit with which the right hon. Gentleman has endeavoured to meet our wishes in providing that the decision as to exercising the powers of slaughter shall be carried out in a reasonable time. These powers having been carried out, it is reasonable that the declaration of infection should not be indefinitely continued in either contingency, whether the disease is found not to have existed or whether there is proof that it did exist. At present there is a minimum period within which the area cannot be declared free, and if the right hon. Gentleman thinks that under all circumstances it would not be safe to limit that period we do not seek to alter it, but, on the other hand, I agree with my hon. Friend there should be some maximum period within which the declaration of freedom from infection should be made.

(4.55.) MR. CHAPLIN: I am glad to find hon. Members approve of the Amendment I have placed upon the Paper proposing the limit of 21 days, and which I proposed with a view to

meeting what, I think, were reasonable objections raised. Now, as to the first point raised in the present Amendment, that if animals are slaughtered, and it is subsequently found that they were not suffering from the disease, then the locality shall be declared free within two days, that contemplates a contingency which it is almost impossible can arise, because no slaughter could take place unless there was reason to suppose the disease existed. It is true that a number of animals suspected of disease might be slaughtered, but I do not think that circumstances could arise under which a general slaughter could be ordered, unless it was proved that some animals were infected with the disease, and the disease can always be detected. Then, as regards the second contingency with which the clause purposes to deal, the period of time within which it shall be obligatory upon the authorities to declare the locality free. This matter has been arranged, and is now carried out under the Act of 1878, and I have not found that the arrangements are defective, or that serious complaints have arisen of the administration under that Act. So many contingencies, so many conditions may arise known only to experts, who have to put into operation the provisions of the Act, that it is important to leave the officials the widest discretion. As a matter of fact, I am of opinion that to accept this second part of the clause might be to place the infected locality in a worse position. One good reason submitted to me is this:—A man in buying stock very often buys from one herd, and the stock when sent home are perhaps distributed over two or three farms. A case of disease breaks out in an animal in one locality, and the animal there being slaughtered, and within 56 days the place being declared free, what is the result? Immediately other stock are imported from the other two farms, with, perhaps, the consequence that there is a fresh outbreak of disease, among animals from the same herd originally. There is every desire on the part of the Board to administer the Act with the greatest possible consideration for the convenience of all concerned, but I am strongly impressed with the importance of leaving the widest discretion possible

*Mr. Chaplin*

to those who have the responsibility of carrying out the Act, and I hope the hon. Member will not think it necessary to press the Motion.

(5.0.) MR. ESSLEMONT (Aberdeen, E.): What I would point out is that we should secure uniformity of action and the co-operation of the different authorities in the boroughs and counties. That is far more important, I think, than laying down a hard and fast line. It is to be deprecated that while one Local Authority is doing its duty another one should be acting carelessly.

Motion and Clause, by leave, withdrawn.

MR. CRILLY: In view of the fact that the right hon. Gentleman has an Amendment on the Paper which covers mine, I do not think it necessary to propose that which I have on the Paper. I am quite sure that when the Bill becomes law it will be carried out with spirit by the right hon. Gentleman, and that local officers will be subjected to a supervision which will free the owners of cattle from unnecessary delay.

MR. SEXTON: Perhaps the right hon. Gentleman would have no objection to issuing a Memorandum to the local officials.

MR. CHAPLIN: Yes.

Amendments made.

Amendment proposed, in Clause 5, page 3, line 23, to leave out the word "General," and insert the words "Cattle Pleuro-Pneumonia."—(*Mr. Chaplin*.)

MR. SEXTON: I believe the effect of this Amendment will be to enable the special losses incurred by certain Unions in Ireland, especially by the North and South Dublin Unions, to be defrayed out of the moneys provided by this Act. I should be glad to be assured of that fact.

MR. CHAPLIN: That is the effect, for the reason that much of the work to be accomplished has already been done.

Question, "That the word 'general' stand part of the Clause," put, and negatived.

Question, "That the words 'cattle pleuro pneumonia' be there inserted," put, and agreed to.

MR. CHAPLIN: I beg to move that the Bill be now read a third time.

MR. ESSLEMONT: I only wish to make one observation. I think there is one defect, though I thoroughly approve of the principle of the Bill. The Lord Advocate is not in his place to answer for Scotland. We have three alternatives—the local taxes, the taxation of the Nationalities, and—which the Government have been good enough to step in with—the Imperial Treasury. To that extent I take this opportunity of saying that I think the measure is defective.

MR. CRILLY: I am glad that the right hon. Gentleman has consented to send out a Memorandum to insist that the work under the Act shall not be delayed. I have received a telegram this morning which gives an instance of the vexatious loss caused by official delay.

MR. CHAPLIN: I am very much obliged to the House for allowing me to move that the Bill be read a third time. I readily undertake to issue the Memorandum to local officials.

Bill read the third time, and passed.

#### ALLOTMENTS ACT (1887) AMENDMENT BILL.—(No. 147.)

Bill considered in Committee.

(In the Committee.)

#### Clause 4.

(5.7.) CAPTAIN VERNEY (Bucks, N.): I beg to move in Clause 4, page 2, line 27, at end, to add "whose deliberations shall be public." I do not think it likely that the President of the Local Government Board has the smallest idea how this clause will work; and I dare say he does not know much of the composition of County Councils. I have got a little information about the Bucks County Council, and who are likely to be the Committee to deal with allotments, one piece of information the right hon. Gentleman will be very glad to have. The Bucks County Council consists of three-fourths of Conservatives and one-fourth of Liberals, and I am very proud to know that the Liberals come from the constituency which I have the honour to represent, who are the gentlemen who are going to form the Committee and whose deliberations are to be private. I find no less than 40 Guardians on the

Buckinghamshire County Council out of 68 Members. There are 13 elected Guardians and 27 *ex officio* Guardians. These men are not likely to wish to upset the decision of the Rural Sanitary Authority, who are the Guardians. What check have we got upon them? The only check is publicity. If these men are going to try to shirk the duty imposed upon them, as I believe they will, it will only be a natural result. They do not wish to come to a decision against the Guardians, who have already done all they can to prevent the men getting their allotments. Therefore, I think we want publicity. Now, then, we have got, to begin with, out of 68 members, 40 Guardians. Out of the remaining 28 members of the Committee there are 10 tradesmen, eight gentlemen, three brewers, two farmers, two soldiers, two parsons, and one labourer. It is a singular thing that there are only two farmers out of that rural constituency on the County Council. Who are likely to be the gentlemen appointed? According to the Act they must be, I think, more than one-third of the County Council. That is not more than 27. That number would make a cumbrous Committee. Unless there is something in the Bill, the Committee will be able to hold its meetings in private. I suppose they would only appoint a small Committee, and the question is, what class of men are they likely to appoint? I should hope they would appoint some labourers upon it; but they are more likely to appoint Magistrates and gentlemen resident in the district, who, in the future as in the past, will do their utmost to prevent the labourers obtaining allotments under the compulsory powers of the Bill. ["No, no!"] Hon. Gentlemen opposite say "no," but I can assure them I have been informed by different gentlemen that they strongly disapprove of these compulsory powers. I do not wonder at this. It is quite natural that they should disapprove of these powers, and do their best to oppose them. They say: "If you carry these compulsory provisions we will do all we can to prevent their being carried into execution." This has been said to me in the County of Bucks, which is a typical county, and I am very anxious that the Twyford men should get their allotments



as soon as possible. I mean to go down there on Saturday and tell the men the Government are doing all they can to prevent their getting their allotments for the next two years. Why should these Committee meetings be held in secret? The Rural Sanitary Authority always holds its meetings in public with reporters present, and I believe that is the case everywhere. I think it would be deplorable if a body holding its general meetings in public and preventing the labourers from getting allotments should give them an appeal to a body meeting in secret. I believe the Committees of most of the County Councils hold private meetings; and unless the Bill renders these meetings public, I am afraid they will continue to be held in private. The labourers have already been waiting three years for their allotments; they are now told they must wait till next Michaelmas two years, and that then they must go before a body sitting in secret conclave if they wish to assert their rights, in which case they will be subject to all the pressure and influence which those who live on the spot know so well how to exercise. During the Committee on this Bill all the Amendments proposed have had but one object, namely, to make a bad Bill work better if possible. We have told the right hon. Gentleman (Mr. Ritchie) that the Bill will not work. He said it would; but if it is to work at all, we ought not to be kept waiting for two years to see how it will work. I cannot see why my Amendment should not be accepted. Why should not the tribunal of appeal to which the labourers must go be a public tribunal? As the meetings of the Sanitary Authority are held in public, the same rule should apply to the meetings of the County Council Committees to which the labourers must appeal.

\*(5.20.) MR. RITCHIE: I cannot quite see the force of the hon. and gallant Gentleman's logic. He argues that, because the Sanitary Authorities have held their meetings in public, and have failed to do their duty, therefore we must compel the Committees of the County Council to hold their meetings in public likewise. How the hon. and gallant Gentleman can satisfy his own mind with such an argument I cannot possibly conceive. He has

*Captain Verney*

said a good deal of what is done in Bucks, and has told us that a large number of Guardians have there been elected on the County Councils. That, of course, is a matter for the electors of that county, but it would seem that if there be a large proportion of Guardians on the Bucks County Council, they have been put there because the electors have thought they have done their duty as Guardians. Unlike the hon. and gallant Gentleman I have full confidence in the discretion of the County Councils, and in their anxiety to perform their duties in a manner most in accordance with the interests of their constituents, and, for my part, I decline to be a party to fettering their action in this matter in a manner which is not applicable to any other portion of their duties. County Councils, including that of Bucks, do not hold their meetings in public. I remember the discussion which took place on this question of holding public meetings of the Committees of the London County Council, and on that occasion it was resolved by a large majority that those meetings should not be held in public.

*Amendment negatived.*

*Amendment proposed, in Clause 4, page 2, line 30, after the word "division," to insert the words "any County Alderman residing within and."—(Sir R. Knightley.)*

*Question proposed, "That those words be there inserted."*

(5.28.) MR. H. STEWART (Lincolnshire, Spalding): I hope that, as the House has already decided not to give prescriptive rights to Aldermen, the Government will not accept this Amendment. We had this question fought over and over again on the principal Act, with the result I have just stated; and as the right hon. Gentleman has hitherto resisted all the pressure brought to bear upon him in regard to this matter from the opposite side of the House, I trust he will not now listen to the Amendment moved from his own side, the effect of which would only be to delay the passage of the Bill.

\*MR. RITCHIE: I quite sympathise with the object of my hon. Friend in the Amendment he has proposed, and, for my own part, I think that the presence of an Alderman residing in the locality might

have a beneficial influence on the deliberations of the Committee. Still, I cannot but feel the importance of the objection taken by the hon. Member opposite; and, feeling that it would be illogical for us now to take up the position suggested by the Amendment, I trust my hon. Friend will not deem it expedient to persist in his Amendment.

SIR R. KNIGHTLEY: After what has been said by my right hon. Friend, I beg leave to withdraw my Amendment.

Amendment, by leave, withdrawn.

Other Amendments made.

(5.30.) CAPTAIN BETHELL (York, E.R., Holderness): I am surprised to find that my right hon. Friend is accepting Clause 4, which has the direct result of limiting the powers of the County Councils, and also that he has accepted from an hon. Member who objects to the powers given to the Councils an Amendment which makes this clause still more drastic. If we are going to give these powers at all we ought to give them freely and to let the County Councils do their work in their own way. Why should we insist on having a Standing Committee at all? If the Council desire to have more than one-fourth, why should they not? We have already got three Committees, two of which—the Lunacy and Finance Committees—are, to some extent, independent, and why should you have another independent Committee, which may still further hamper the work of the Council? Everything which is proposed might be done by the Council itself, and the appointment of the Committee would only hamper the Council and detract from its dignity and general use. There can be no reason whatever for insisting on this limitation being placed upon the Council, whose powers are already unnecessarily and improperly limited. I wish we could persuade my right hon. Friend to withdraw this clause; but, failing that, I am glad to have this opportunity of entering a strong and vigorous protest against this bad system of limiting and violating the powers of the County Councils.

Motion made, and Question, "That Clause 4 stand part of the Bill," put, and agreed to.

Clause 5.

(5.35.) MR. H. STEWART: I propose to move the Amendment which stands in the name of the hon. Member for the Cirencester Division, the object of which is to substitute for the Sanitary Authority, as a body to which the County Council may delegate their powers as to the management of allotments, a Committee consisting of a member of the County Council for the district, two ratepayers chosen by the allotment holders, and two ratepayers chosen in open Vestry. By the Bill, as it at present stands, the County Council is to give the first consideration to a body which is discredited. For my own part, I would have preferred a Parish Council; but as we have been beaten on that point, I do press the Government to accept this Amendment.

Amendment proposed,

"In page 3, line 20, after the word 'to,' to leave out the words 'the sanitary authority,' and insert 'a committee consisting of—(1) The member of county council for the district; (2) two ratepayers chosen by the allotment holders; (3) two ratepayers chosen in open vestry.'"—(Mr. Halley Stewart.)

Question proposed, "That the words proposed to be left out stand part of the Clause."

(5.38.) MR. W. H. LONG: I think the hon. Member who proposed this Amendment must have overlooked the fact that under this Bill the County Council has double powers; that it may either delegate its duties in this respect to the Sanitary Authorities, or, on the recommendation of one-sixth of the electors of the parish, appoint allotment managers. You thus have introduced the element of local administration. I think it is hardly worth while to appoint another method and to create another local Parish Authority. I trust that the Amendment will not be pressed.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 6.

Amendments made; Clause agreed to.

(5.42.) CAPTAIN VERNEY (Bucks, N.): I beg to move the new clause of which I have given notice. I think the proposal is a very reasonable one. It is that the school of the parish should, if in receipt of a Government grant, be a

the service of the authority to which the allotment powers are delegated; of course on payment of any expenses that may be incurred. I do hope that the Government will accept this proposal.

New Clause (Use of School on Payment of Expenses.)—(*Captain Verney*.)—brought up, and read the first and second time.

Motion made, and Question proposed, "That the Clause be added to the Bill."

(5.44.) MR. F. S. STEVENSON (Suffolk, Eye): I trust the Government will accept this new clause. It must be borne in mind that the case of a rural parish is very different to that of a town. In the latter there is usually a town hall, where public business may be transacted, but most villages are entirely without a public hall of any kind, and the parish school is the most suitable building for the purpose. Surely the Government might consent to allow schools to be used for this purpose?

(5.46.) MR. W. H. LONG: I can assure the hon. and gallant Member that the Government entirely sympathise with the spirit of the Amendment, but all those who are conversant with village life must be aware that the Educational Authorities have found great difficulty from the somewhat too frequent use of the school buildings. The Government do not disapprove of the object of the Amendment at all, and they will consider the question between this and the Report stage.

Motion, by leave, withdrawn.

(5.48.) MR. F. S. STEVENSON: Between this and the Report stage I hope the Government will have the Bill re-printed.

MR. LONG: Certainly.

Bill reported as amended, to be considered on Tuesday 3rd June, and to be printed. [Bill 318.]

#### SUPPLY—REPORT.

Resolution, 22nd May, reported (see page 1632.)

Resolution read a second time.

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

*Captain Verney*

(5.50.) MR. SEXTON (Belfast, W.): I have now to demand from the Irish Government an explicit declaration of their intentions with respect to a public meeting, fixed to be held at Tipperary, on Sunday next, in order to afford the Members for the district an opportunity for conferring with their constituents on public affairs, and especially on the legislative proposals with regard to Ireland which are at present before the House. I insist that there is nothing in the state of popular feeling in the district constituting anything like a menace to public order or the public peace. It cannot be pretended that the Plan of Campaign is in operation there now. On the 13th of last month a public meeting on a very large scale was allowed at this very spot, without interference on the part of the authorities, and the result justified such non-interference, and I maintain that there is no rational ground for apprehending danger in the present case. The meeting has been advertised for many weeks; extensive arrangements have been made for holding it, and contingents of Nationalists are to attend from various parts of the country. We are now within 48 hours of the time fixed for the meeting on Sunday, and yet the people and all concerned are left in ignorance as to whether the meeting is to be permitted or not. Such a policy, I contend, is calculated to create disorder. I know that within the last few hours the right hon. Gentleman has had a private conversation with Mr. Smith-Barry and his agent. There can be no worse enemy of the public peace than the Minister or the Government which allows arrangements for a meeting of this kind to go forward throughout a wide district, and up to the last moment leaves everybody in doubt as to their intentions in the matter. I claim for the people of Tipperary the right to hold this meeting as an essential and indispensable part of their system of Parliamentary government.

\*(5.47.) THE CHIEF SECRETARY FOR IRELAND (MR. A. J. BALFOUR, Manchester, E.): The information I have received does not bear out the notion that extensive local preparations have been made for the meeting announced for next Sunday at Tipperary. The information I have re-

garding the meeting is drawn from certain statements which have appeared from time to time in the *Freeman's Journal*, and the report of a speech of the hon. Member delivered, not in Tipperary, but in Dublin, on the occasion of a recent meeting of the National League. These are very imperfect sources of information from which to ascertain clearly or explicitly what the character of the demonstration is to be, and it was from the mouth of the hon. Gentleman himself that I first learnt that what is contemplated is a great open air demonstration in the town of Tipperary.

MR. SEXTON: I am aware of five special trains to be run from Cork, Waterford, Dublin, Kanturk, and Clonmel.

\*MR. A. J. BALFOUR: I am obliged for the information; it is not yet in possession of the authorities in Dublin Castle, and, of course, I will take advantage of it to prevent the intending excursionists from being put to inconvenience. The intended open air meeting cannot be permitted by the authorities. I am sure the hon. Member for West Belfast will agree that nothing could be more concisely explicit than the statement which, as the Representative of the Irish Government, I made on this subject yesterday.

An hon. MEMBER: In the William O'Brien Arcade.

MR. A. J. BALFOUR: Yes, in the William O'Brien Arcade. I was not certain what the meeting was. But I did say, in a most explicit and categorical manner, in regard to Sunday's meeting, that if one of the great open air demonstrations which from time to time had taken place in Ireland was contemplated, that could not be permitted in a town in the condition of Tipperary at this moment. The hon. Member desires to convict me of inconsistency, because, holding these views, there was no attempt made to prevent the meeting in connection with the formal opening of the William O'Brien Arcade. I would point out, however, that the circumstances were entirely different. The programme of the demonstration held, I believe, on the 13th April [An hon. MEMBER: "The 12th"] was well-known to the Government, and those who were responsible for organising the banquet were informed that if the programme

was adhered to there would be no objection to its being gone through. An open air meeting was no part of the programme, and though I believe it is the fact that some ceremonial or other took place at the door of the William O'Brien Arcade, the whole of the proceedings were certainly not of the character which I understand attaches to the proceedings which are to take place on Sunday, and had they been, the meeting of the 13th April would have been stopped precisely as two preceding meetings, at which the hon. Member for North-East Cork was announced to speak were stopped earlier in the year, or at the end of last year. The consistency or inconsistency of the Government in this matter is, after all, a small affair. What is of importance is whether the Government are or are not justified in interfering with this meeting, and I say—and I say it confidently—that no one who has really studied not merely the rights or wrongs, or the origin of this dispute, but the history of the method by which it has been carried on, can entertain the slightest doubt that meetings of this sort must lead to boycotting and intimidation, and ought, therefore, to be prohibited. I do not think it would be convenient or suitable that I should, on this occasion, dwell upon the not only insufficient but absurd reasons that have been alleged for stirring up the tenants of my hon. Friend who sits below the Gangway (Mr. Smith-Barry), reasons which amount, in short, to this: that my hon. Friend is one of those who resists an illegal conspiracy to which another landlord might probably fall a victim. I am not going into these reasons, but I do not think hon. Gentlemen opposite will persuade the people of this country that the actions of the Member for East Cork and others were otherwise than wholly unjustified in their origin, as they have been criminal and disastrous in their consequences. What I am more concerned with is what is actually taking place in Tipperary itself, and I do not think it at all necessary to go into disputed matter on this point, nor is it necessary that I should rely on the reports of police constables and inspectors, because it is not denied by the chief actors in the drama that intimidation and boycotting have gone

on to a great extent. I observe that the Member for North Wexford gave a description of the state of things on the 14th September last. In the *Wexford People* the hon. Member was made to say that—

“He had never seen such excitement in his life as there was in the town of Tipperary. The houses of the men who paid their rents were there left alone by everyone. The houses of these men have been nearly wrecked.”

That is a statement made by a Member of this House, an influential Member of the organisation which has produced the existing condition of things in Tipperary—a statement in which he actually triumphed at the disasters which his action, and that of others, had brought to the town. Another Member of the House, the Member for Longford, is reported in the *Freeman's Journal*, with regard to the conspiracy not to pay rents to my hon. Friend (Mr. Smith-Barry), to have said—

“Would the hon. Member (Mr. Smith-Barry) seek to eject these tenants. The way to consider this matter was to consider it calmly, and he should like to see Smith-Barry trying to eject a score or more of the principal shopkeepers of Tipperary! Ballycoohy would be nothing to it.”

Ballycoohy is well-known. It is a place in Tipperary where a landlord had some dispute of an agrarian character, the result being that a constable and the steward of the landlord were shot dead. I do not misinterpret this speech of the Member for Longford when I attribute to him the opinion that it was as impossible for my hon. Friend to do what, I think, as a matter of fact, he has done, namely, evict a score of the principal shopkeepers of Tipperary who have not paid their rent.

MR. SEXTON: It was done in perfect peace.

\*MR. A. J. BALFOUR: I observe that at a meeting of the Tipperary branch of the National League Dr. J. F. O’Ryan made a speech in which he moved a Resolution directed against my hon. Friend (Mr. Smith-Barry), and in which the meeting pledged itself from that day forward not to hold any dealings whatever with the men who paid their rents, or their aiders or abettors. I could multiply examples of that kind. It is not denied, and cannot be

*Mr. A. J. Balfour*

denied, that there is a conspiracy against the payment of rents, that that conspiracy is supported by intimidation and violence, that the houses of those who venture to pay their rents have been wrecked, or nearly wrecked. [*Cries of “No.”*]

MR. JOHN O’CONNOR (Tipperary, S.): Give a single instance.

\*MR. A. J. BALFOUR: The instances are given by the Member for North Wexford in the speech I have just quoted. It is not denied that not once or twice but many times there have been attempts by means of explosives and otherwise [“No, no!”] to terrorise and intimidate those who have done anything to fulfil their legal obligations. It is not denied, and cannot be, that boycotting exists to an enormous extent in Tipperary, and since this meeting of the 13th April, to which allusion has been made, Father Humphrys, a clergyman of the Roman Catholic Church, has written a letter, the authenticity of which has never been denied, in which he said,—

“As one of the Catholic clergy of Tipperary he protested against the libel that he was doing all he could to stop boycotting.”

I say if that is the attitude of Catholic clergymen in Tipperary, if that is the result of the agitation started by the Member for North-East Cork and his Friends, if the means I have described were being used to intimidate the shopkeepers of Tipperary, the Government would be neglecting its primary duty if it permitted a vast mass meeting under the auspices of the Member for East Cork, and the Member for East Mayo, to be held, a meeting, the only possible consequences of which would be that the terrorism which has existed for the last few months would be redoubled. I have had made out an account of certain crimes which have taken place in Tipperary during the last four months of 1887, 1888, and 1889 respectively, which is significant. I find that the number of persons convicted of drunkenness, assaults, or other crimes affecting the public peace in these periods was, in 1887, 143; in 1888, 162; and for the last four months of 1889, 274. [*Laughter and cries of “Police statistics.”*]

MR. E. HARRINGTON (Kerry, W.): You run them up when you like.

\*MR. A. J. BALFOUR: Though this may appear a laughing matter to some hon. Gentlemen, I apprehend that those who have the good of Ireland at heart will regard it as a serious result of the agitation of hon. Members.

MR. SEXTON: If the right hon. Gentleman, instead of giving us the last four months of last year, had given us the first four months of this year, it would have been more to the point.

\*MR. A. J. BALFOUR: I do not know why it would be more to the point. I may say that these are figures which I got prepared for me some months ago, thinking that this question might be raised; but if the hon. Member thinks it desirable to go into the matter I will have further statistics collected. I think I have said enough to convince the House that the Government are more than justified in doing all they can to stop this proposed demonstration in Tipperary. I can prove without going to police statistics, but relying on the utterances of Catholic priests, Members of Parliament, and members of the National League, that a system of terrorism and boycotting exists in Tipperary which the Government is bound to put down by every means in their power, and which they will be responsible for encouraging if they permit meetings of this kind to take place without doing their best to prevent them.

(6.17.) MR. J. O'CONNOR: Anyone who has listened to the speech of the right hon. Gentleman must have come to the conclusion that the interview he had with the hon. Member opposite (Mr. Smith-Barry) and his agent from Tipperary has not been without effect.

\*MR. A. J. BALFOUR: I forgot to allude to that part of the speech of the hon. Member for West Belfast (Mr. Sexton) in which he insinuated that the action of the Government had been in some way directed, or dictated, or suggested, by my hon. Friend below the Gangway. I need hardly say that I did not consult with anyone but my own officials in determining what to do.

MR. J. O'CONNOR: Is it denied that the right hon. Gentleman last night conferred with Mr. Maurice Townsend, the agent for the hon. Member opposite?

\*MR. A. J. BALFOUR: It is absolutely untrue to say that the interview I had with Mr. Townsend last night—[*Ironical Irish cheers*—]yes, and which I am not ashamed of having had, decided the line I should take. That interview took place many hours after I had sent over a telegram to Ireland saying that under no circumstances would an open air meeting be permitted in Tipperary.

MR. J. O'CONNOR: Well, there was a good deal of uncertainty in the replies given yesterday by the right hon. Gentleman to our questions as to the proposed meeting, and there was a good deal of uncertainty to-day in the mind of the learned Attorney General for Ireland.

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I stated distinctly, when asked the question, that my right hon. Friend had stated yesterday that a meeting of the kind which he described—a large open air meeting—could not be held, and that I had nothing to add to the statement.

MR. J. O'CONNOR: That explanation may be all very well in its way, but people of common sense will draw their own conclusions. It is a very strange thing that the certainty of the Government as to prohibiting the meeting should synchronise so completely with the meeting between the right hon. Gentleman and Mr. Townsend. In order to justify the proclamation of the meeting the right hon. Gentleman has quoted a list of crimes which have been committed in the district. But what is the nature of those so-called offences? In one instance a constituent of mine was charged with riot, and the Magistrates, having heard the case against him, found that there had been no riot, but because they thought that the meeting had been an exciting one they sentenced him to six weeks' imprisonment. In another case 15 persons were charged with taking part in a riotous assembly, and although they were acquitted of having committed the offence with which they were charged, for fear that they should do it again they were all sent to gaol for two months. The statement that a Mr. Phillips was boycotted, that a policeman attending a funeral was stoned, and that

the services of a midwife were refused to the wife of a policeman, are absolutely untrue, though it is true that at the funeral a number of little children, all of whom were under seven years of age, seeing several policemen gathered together, shouted out "Balfour," which is an epithet of opprobrium in Ireland. Those are the kind of crimes which the right hon. Gentleman relies upon as justifying him in destroying the liberties of the Irish people, and in taking away their right of public meeting. People who make these and similar statements to the Chief Secretary have done so knowing them to be false, and the right hon. Gentleman has not been ashamed to repeat them, to the misleading of the House and the country. The speeches which were made at the previous meeting at Tipperary, which was conducted most openly, and during which the people and the police fraternised, were of a Constitutional character—of the same nature as those which we intend to deliver next Sunday at Tipperary, for we will hold that meeting at the risk of our lives in spite of the right hon. Gentleman's buckshot and bayonets, and will continue to hold such meetings until the liberties of Irishmen are restored to them. The right hon. Gentleman may send his police with their buckshot to the place of meeting. We have faced them before, and we will face them again.

DR. TANNER (Cork Co., Mid.): All he wants is blood.

MR. J. O'CONNOR: I can tell the right hon. Gentleman that we will continue to hold meetings when he and his name are relegated to an obscurity from which history will never redeem them. It does not matter to Irish Members under what Government they are, when the only effective argument that is used against them is that of force. The Irish authorities are not willing that a good feeling should exist between the Irish people and the police, and that is the reason why this meeting is to be proclaimed. We will hold our meeting in the town of Tipperary, and we invite the right hon. Gentleman with all his force to come forward in aid of the hon. Member opposite, who is engaged in his unmanly and wretched crusade against

*Mr. J. O'Connor*

the homes of the Irish people, backed up by the arms and repression of a tyrannical Government.

(6.30.) COLONEL SAUNDERSON (Armagh, N.): The hon. Gentleman who has just sat down has told the House, like another celebrated Irishman, that he is "agin the Government." I do not see why the hon. Gentleman should blame the Chief Secretary for employing force, because the hon. Gentleman has told the House it is the only argument he will yield to. I have observed that hon. Gentlemen opposite are very reticent about the question of Tipperary. It has not been a favourite theme with them, because I suppose they know as well as I do that their action at Tipperary is condemned by the vast majority of the British people. I do not think hon. Gentlemen will describe to the British people how the action of the inhabitants of Tipperary was developed into the present condition of affairs. It has been represented by hon. Gentlemen that it is a sort of spontaneous manifestation on the part of the tenants of my hon. Friend the Member for South Hunts (Mr. Smith-Barry) because of his action with regard to the Ponsonby estate. How were the men of Tipperary got up to high-water mark? Boycotting notices were sown broadcast about the town. Within the last three weeks boycotting notices have been posted throughout Tipperary condemning the action of certain unpopular persons who have offended against the League, or who have held communication with those who are under the ban of the League. I think it a very good thing that the House and the country should remember that the action of the men of Tipperary has not been a spontaneous but a got-up action, under the authority and threats of the National League and of hon. Members below the Ganway opposite. Within the last three weeks a boycotting notice was posted in the Division which the hon. Member who has just spoken represents, holding up to execration a certain Mrs. Peer and a certain Tom Coghlan, of Fermoy, who supplied meat to a certain landgrabber named Noonan.

MR. J. O'CONNOR: Fermoy is not in Tipperary, but in County Cork, 100 miles away.

COLONEL SAUNDERSON: Similar boycotting notices have been posted in Tipperary. I hold some in my hand—

“Boycott Smith-Barry. Boycott Horace Townsend, the long, oily, slippery, petty agent of a Syndicate. Boycott Walter Nolan, the emergency attorney from God knows where. Boycott”

Several others in similar terms. The action of the Tipperary people was not spontaneous, but got up and caused by the pressure and tyranny of the League which hon. Gentlemen opposite represent. Let hon. Gentlemen opposite who have advised the men of Tipperary to leave their good houses, built with stone and roofed with slate, and to go and live in the lath and plaster shanties in which they shiver at the present time—let those hon. Gentlemen give a banquet to the men who have followed their advice, and try to persuade these men that it is a more comfortable thing for them to live in their present huts than in the houses they have left. I think it matter for the greatest satisfaction that hon. Members have thought fit, just before the Whitsuntide recess, to bring this matter before the House and the country, because I believe the Government never had, and never will have, a better case to go to the country with than Tipperary. I believe nothing will do more damage to the cause of hon. Gentlemen opposite.

\*(6.40.) MR. W. H. SMITH: May I be allowed to make an appeal to hon. Members. It is that they will now allow the Report to be taken, in order that I may make the Motion for the Adjournment?

MR. SEXTON: Will the right hon. Gentleman closure the Motion for Adjournment?

\*MR. W. H. SMITH: Certainly not. If the House desires to sit on Monday I shall not offer any opposition.

MR. GILL (Louth, S.): I shall not occupy more time than is necessary; certainly I shall conclude my remarks in time to allow the right hon. Gentleman to make his Motion. We have heard the hon. and gallant Gentleman's description of what he is pleased to call the terrorism going on in Tipperary. He has read to us a boycotting notice which referred not to County Tipperary but to

County Cork, and he has argued that the men of Tipperary in surrendering their homes as a protest against the action of their landlords did not act spontaneously, but in a got-up manner. We must have a very great deal of power indeed in Ireland if our influence is so great as to compel men to give up their comfortable houses and properties and go out upon the roadside and occupy the shanties the hon. and gallant Gentleman spoke of. I cannot conceive a more forcible way of bringing home to the minds of the people the heroism of the people of Tipperary than the description the hon. and gallant Gentleman has given. We will await the verdict of the English people on the action of the men of Tipperary with absolute confidence: we will await their verdict on the action of the hon. Member for South Hunts (Mr. Smith-Barry), and the Government, which does not scruple to enter with the hon. Member and his agent into a conspiracy to suppress the right of public meeting in Ireland. The Chief Secretary has cited a number of statistics and reasons why this meeting should be suppressed. He told the House that at Ballycoley the tenants barricaded the houses and shot a constable and the steward of the landlord. Does he mean to insinuate that the people of Tipperary have carried out the programme of Ballycoley? I challenge the right hon. Gentleman to assert that in any single instance in Tipperary was there the slightest resistance to the process of eviction. I maintain that this attempt on the part of the Chief Secretary is a most monstrous and unscrupulous attempt to benurich the character of the people and to misrepresent the great problem with which the Government in Ireland have to deal. Suppose that all the right hon. Gentleman has said were true; suppose every one of the so-called outrages which he describes had taken place before the meeting of April the 12th. If the arguments which the right hon. Gentleman has cited are valid reasons for suppressing the meeting of next Sunday, they were still more valid reasons for suppressing the meeting of last April, because they had occurred still closer to the time of meeting. I ask the House to consider what is the reason which common-sense can alone deduce from the action of the



right hon. Gentleman for the suppression of next Sunday's meeting and the allowing of the meeting of April the 12th. A large English contingent, consisting of a considerable number of English Members of Parliament and English leaders and representatives of English organisations, attended the meeting in April, and that is the sole and single quality which differentiates the meeting in April from the meeting next Sunday. I ask the House and the English people to consider well the extraordinary and glaring state of things which the Government action now reveals—to bear in mind the fact, that if the Irish people wish to hold a meeting in their own country they must hold it under the protection of Englishmen. In face of his action in regard to next Sunday's meeting, will the right hon. Gentleman ever assert again that the Irish people enjoy the same liberty as the English people? The right hon. Gentleman cited a passage from a letter of Father Humphrys, in which that reverend gentleman said, in effect, he would be ashamed to refrain from defending boycotting. I repeat the sentiment expressed by Father Humphrys in his letter, because I know well what it means. I should be ashamed to refrain from defending boycotting as it is understood in Tipperary. Boycotting has taken place in Tipperary, but it is of the class which I am prepared to defend here or before any civilised audience. It is simply and solely exclusive dealing, the exercise by the community of one of the rights they possess, to protect themselves against the hostility of individuals of their own class.

It being ten minutes to Seven of the clock, the Debate stood adjourned.

Debate to be resumed this day.

#### DEEDS OF ARRANGEMENT BILL. (No. 264.)

Bill read the third time, and passed.

#### WORKING CLASSES DWELLINGS BILL. (No. 279.)

Bill read the third time, and passed.

*Mr. Gill*

#### CUSTOMS CONSOLIDATION ACT (1876) AMENDMENT BILL.—(No. 247.)

Bill considered in Committee.  
(In the Committee.)

Clause 2.

Committee report Progress; to sit again upon Monday 2nd June.

#### ORDERS OF THE DAY.

##### EVENING SITTING.

##### SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

(9.2.) MR. SEXTON: I beg leave to explain that there was no intention on the part of Irish Members to prevent the Motion for the Adjournment being decided at the Morning Sitting; but it was prevented by two circumstances, the length of the speech of the Chief Secretary and the superfluous intervention in the Debate of the hon. and gallant Member for North Armagh (Colonel Saunderson). It was simply by inadvertence that my hon. Friend (Mr. Gill) overran the time.

(9.2.) MR. GILL: The fact that I happened to talk out the Debate on the Report of Supply arose from my want of knowledge of the Rule that governs an Afternoon Sitting. I was under the impression that we did not break off Debate until 7 o'clock.

(9.3.) MR. HALLEY STEWART (Lincolnshire, Spalding): Upon this Motion I am anxious to say a few words, and they shall be very few, in corroboration of the statement of my hon. Friend the Member for Tipperary (Mr. J. O'Connor). [*Cries of "Agreed."*] Well, if you agree with the statement of my hon. Friend, then the question is settled; but the Chief Secretary has made a statement entirely at variance with the statement of my hon. Friend. My hon. Friend has referred to the English Members who accompanied him, and I intend, in a few sentences, to emphasise what he has said. The Chief Secretary states that the arrangements for the public meeting at Tipperary were not made with the cogni-

sance of the police. But, Sir, these arrangements were made in the light of day and ought to have been within the cognisance of the police, if the police did their duty. The preparations for the meeting were apparent to every inhabitant, a platform was erected, and, I suppose, 10,000 people must have seen it. Speeches were delivered to an immense concourse of people in the open air at New Tipperary. Personally, I addressed large crowds at some eight or 10 meetings standing by the side of my hon. Friend (Mr. J. O'Connor). [*Interruptions.*] I can assure hon. Members that I am as anxious to get away for my holiday as any of them can be, but I consider I have a public duty first. On the day my hon. Friend has referred to there were meetings held in the town and outside, and thousands of people gathered. During the time the Ponsonby evictions were proceeding, I addressed a meeting of the evicted tenantry; and a day or two afterwards at Youghal I spoke to a crowd estimated by Canon Keller, who is a good judge of numbers, at 3,000 or 4,000 people. It is vain for the Chief Secretary to assume that the police were ignorant of these proceedings. Irish Members and English Members spoke at these meetings. When Irish Members speak alone, they are interfered with by the police; but when they are accompanied by English Members, there is no interference on the part of the police. You may explain it as you will, the fact remains, and we desire to record it here, where the statement may be challenged and disproved if it is capable of disproof. You deal out one measure of justice to your Irish fellow subjects and another to Englishmen. [*Cries of "No!"*] The facts are in evidence. Will you agree with me now? Let hon. Members opposite, with that spirit of honour which has always been supposed to characterise the Tory Party, put themselves in the place of Irish Members; let them imagine, if their imaginations are sufficiently fertile, what would their feelings be if they were governed by an Irish majority, and Irish Members were permitted to visit their constituents unmolested, while they themselves were denied the right to hold public meetings. The only way to appreciate the feelings of Irish Members is to put yourselves in their place. Look at the position from

an Irish point of view, and I do not understand how the Tory Party, with all their traditions of Constitutionalism, can support the action of the Chief Secretary. If the right hon. Gentleman wants to keep peace and order in Ireland let him keep the police away from public meetings; they are the origin of the troubles; the source and fountain of the confusion that arises is the action of drunken policemen. [*Cries of "Oh, Oh!"*] You cry shame, perhaps, on the drunken policemen, but the Chief Secretary does not repudiate their conduct. Irresponsible Members behind the Government Bench may interject denials, but it is a fact that we were followed from Cashel to Tipperary by four drunken policemen on a car. They were armed with loaded revolvers, and we travelled in peril of our lives from Cashel to Tipperary. This is the sort of protection offered to Members of Parliament. I have intervened most reluctantly in this Debate. There will be other opportunities for English Members to make good their case, but, knowing how my hon. Friend the Member for Tipperary enjoys the esteem and confidence of tens of thousands of his countrymen, I could not allow his statement to go uncorroborated when it is the fashion to attach more importance to the word of an Englishman than to that of an Irishman.

\*(9.10.) MR. SCHWANN (Manchester, N.): I wish to add my protest to that of the hon. Member against interference with the meeting appointed to be held on Sunday next. Every Englishman must revolt at the suppression of rights always considered to be the possession of Irishmen and Englishmen. Hon. Members on that side, as well as hon. Members here, in their addresses and speeches at the General Election, declared they would insure equality of rights to Irishmen and Englishmen. I do not apologise for intervening in this Debate. The interference of the hon. and gallant Member for North Armagh was totally unwarranted. He occupies no official position—to his disappointment, perhaps—but he has adopted the position of judicious bottle-holder to the hon. Member for South Hants (Mr. Smith-Barry). I can add my experience to what has been said by the hon. Member who has just spoken in reference to the

meetings in Tipperary. The Chief Secretary does not seem to be well informed upon what is taking place in Ireland. His predecessors in office, the right hon. Gentleman who is now President of the Board of Trade and the right hon. Gentleman the Member for Newcastle, were continually going backwards and forwards between London and Dublin sifting evidence, and endeavouring to learn facts for themselves; they were not satisfied with Reports from Dublin Castle; but the right hon. Gentleman is chiefly employed in following his favourite pastime on the breezy downs. I regret this interference with the meeting on Sunday. The open-air meetings in April were attended by English Members and English ladies, and we all felt the greatest admiration for the pluck, the energy, and sympathy with their fellows shown by the men of New Tipperary. It shows the solidarity of the Irish tenantry that, when they found a body of their fellow tenantry treated as they were treated on the Ponsonby Estate, they determined to carry the war into the enemy's country, and I am glad they have done so. I have no reason to doubt that the hon. Member for South Hunts will bitterly regret that ever he entered on this internecine struggle. I have no wish to detain the House beyond expressing my admiration for the conduct of the gallant men of Tipperary, and my abhorrence of the policy of the Chief Secretary.

(9.14.) MR. P. J. O'BRIEN (Tipperary, N.): As one of the Members against whom this attempt at muzzling is directed, I do not think it necessary to make any apology, but I do make my most earnest protest. The Chief Secretary will find, later on, that never in his political career has he made a more egregious mistake if he supposes he will be successful in his attempt to intimidate the people of Tipperary. I can tell him, as one of the Representatives of the county, that we are not to be intimidated. I shall exercise my right to meet my constituents in Tipperary on Sunday, and I challenge the right hon. Gentleman or any of those whom he may send there at their peril to interfere with the just rights of the people. Is this not the time in this brief Parliamentary Recess when Members should meet their constituents? Where are the equal

*Mr. Schwann*

rights to all if we are denied the right to meet our constituents in peaceful assembly? I assert for my constituents that they are peaceful, well-disposed, intelligent, respectable men, and our meetings, if not interfered with by the police, will be orderly as they hitherto have been, honourable alike to the constituents and the Members who address them. I tell the Chief Secretary again that he will find he never made a more fatal mistake than to attempt to intimidate the Members and people of Tipperary.

(9.15.) MR. CRILLY (Mayo, N.): I do not think any apology is needed for our intervention in this Debate. It is not my habit to intervene very often in debate; but here is an occasion when a great public issue is at stake in Ireland, and though we subject hon. Members to the inconvenience of sitting here for an hour this evening, we are impelled by duty to our constituents and the assertion of public rights. You, the English Members, can go away on your Whitsuntide holidays without fear or danger of having your free right of public meeting in your constituencies being interfered with, but we can indulge in no such expectations. I have been present here during the day, and I listened to the previous discussion this afternoon, and I can say that it is due to the tone and temper of the speech of the Chief Secretary that we are here now. Had the duty of replying to my hon. Friend the Member West Belfast, who raised this discussion, been left to the Attorney General for Ireland, I venture to say the House would not be now sitting, and we might have been on our way to the enjoyment of our brief holiday. But the Chief Secretary, after having been absent from the House during the greater part of the day, and being sent for when my hon. Friend raised this subject, has made a speech, the effect of which has been to exasperate every Irish Member and every English Liberal Member who heard it. The right hon. Gentleman, in the course of that speech, followed as it was by the speech of the hon. and gallant Member for North Armagh, based his interference with the meeting on Sunday on the assumption that the meeting would lead to intimidation and boycotting. The right hon. Gentleman asserted that the tenants of

the hon. Gentleman opposite (Mr. Smith-Barry) were engaged in a policy of intimidation. Now, it was pointed out by my hon. Friend (Mr. Gill) that the tenants upon the estate of the hon. Member for South Hunts had gone out of their holdings without any protest whatever. It is a fact known to the Chief Secretary himself that these tenants are engaged in a lawful and peaceful combination against a combination of landlords. Let me quote words used by the right hon. Gentleman himself on this very subject, speaking in this House on July 1, 1889. On that occasion the Chief Secretary said—

“He had been told that he had interfered with combinations of tenants, and that he ought, therefore, to interfere with combinations of landlords. He did not care how much the tenants combined or how much the landlords combined. If he were a tenant in Ireland and he found the landlords were combining against him, he would combine against them.”

Will the right hon. Gentleman truthfully answer—I do not use the expression in any offensive sense—my question how he explains the combination of tenants which exists in Tipperary to-day if it is not a combination against a landlord conspiracy, against which he has said he in like circumstances would enter into combination? The tenants have combined peacefully and legally to carry out their policy of protection; and if the tenants in Tipperary fail to carry out that policy, including as it may do boycotting to a certain extent, the man who will be mainly responsible for driving the tenants of Tipperary to that very policy he has indicated to-day will be the Chief Secretary. He wants to put down conspiracy. So do we. We want to give utterance to our feelings and to express our indignation in open meeting; but when we want to come together for the purpose, when Members for Tipperary want to address their constituents, then the right hon. Gentleman tries to prevent open discussion, tries to do that which Lord Cowper once boasted of having done when he said he had “driven disaffection beneath the surface.” The right hon. Gentleman is attempting the same thing. He is trying to drive the Members for Tipperary from the public platform, to suppress the public discussion of grievances, and to induce a return to the vices of that evil time when an exasperated

tenant was driven to find vengeance for his wrongs with a musket from behind a hedge. For a recurrence of these evil times, this infatuated policy of yours will be responsible. I ask Tory Gentlemen on the other side, are they afraid to listen to the Irish people? You listen readily enough to Irish Representatives here in the House of Commons; are you afraid to hear the same opinions expressed in Ireland? And yet you have declared your willingness that the people of Ireland shall enjoy equal rights with the people of England! You are anxious to get away for your holiday; you will not recognise the condition of affairs in Ireland; you will not realise that deep down in the heart of the Irish people is the intense desire for some sort of self rule. You are impatient because your holiday is delayed for a few hours; but whatever may be said of our motives, if it were possible and necessary, we would keep your Parliament sitting until doomsday to make these facts known. No answer has been given to the facts put forward by my hon. Friends. You permitted meetings to be held on April 12, and at those meetings English Members and English ladies were present, but other meetings are prohibited. Why do you behave in this fashion? You laugh now; but we shall win in the end, and those laugh loudest who laugh last. The Irish National cause is winning against all your efforts. The Chief Secretary has admitted that he had an interview with Mr. Townshend and the hon. Member for South Hunts. The policy of his Party in Ireland is shaped by the landlords. According to the supporters of the Government, the government by repression and tyranny is to continue until the youngest among us has a grandson buried. But I tell you that to persist in this policy will leave you no cause for laughter. The Attorney General for Ireland may laugh now, and Attorneys General and Chief Secretaries have laughed before, but the attachment of the Irish people to the old and sacred cause of self-government will survive all the laughter from the Ministerial Bench. We are determined, and the determination has been expressed to-night by my Colleagues to support our people. You have not passed the threshold of the Irish difficulty, and you

will have to face it until you adopt a higher, nobler policy than you have indicated to-day. I tell you that you but intensify your difficulties by such exasperating speeches as that we have heard from the Chief Secretary to-day, and some day you will have to admit there is no way to govern Ireland but by applying the policy advocated by the right hon. Gentleman the Member for Mid Lothian.

(9.30.) MR. T. H. BOLTON (St. Pancras, N.): The right hon. Gentleman the Chief Secretary has, in effect, admitted that he determined to prohibit next Sunday's meeting at Tipperary on insufficient information as to what its character would be. He has said that until speeches in the House and, in particular, until the speech of the hon. Member for West Belfast, the information which reached him had not led him to believe it would be of a large or dangerous character, and, therefore, he must have taken action on insufficient grounds. To prohibit the right of public meeting in any place is a most serious step which ought only to be taken after the most careful consideration. If bloodshed should ensue from the action of the Government in regard to this Tipperary meeting the country would hold the Chief Secretary responsible, and the House would call him to very severe account. I rise for the purpose of appealing to the right hon. Gentleman to re-consider the situation. If, after the assurance given that the meeting will be held in a peaceable manner, and that its main object is to give hon. Members an opportunity of taking counsel with their constituents, the right hon. Gentleman can see his way to permit the meeting, I trust he will do so. The right of public meeting is a very sacred thing in this country. It ought not to be lightly interfered with, and as the right hon. Gentleman has been assured that the Tipperary meeting will be a peaceful one, he ought to see that there is no justification for prohibiting it. I have not sympathised with extreme measures in the Irish agitation. I have never at any time said a word in favour either of the Plan of Campaign or boycotting; I have never justified any violent resistance to authority in Ireland; and I trust my appeal will be met by the right hon.

*Mr. Crilly*

Gentleman in the spirit in which it is made, and that he will not adopt a course which may lead to serious occurrences in Ireland. I do not wish to make a long speech, or to stand in the way of the adjournment; but I feel it my duty as an English Member to advocate the proper and just treatment of the Irish people in relation to this matter of holding public meetings.

(9.36.) MR. W. P. SINCLAIR (Falkirk, &c.): We have been told by the hon. Member for Tipperary that he desires to take advantage of this Whitsuntide recess to address his constituents; but we have had no such assurance from other hon. Members who are expected to attend this meeting that the gathering will be a peaceful one, and I would ask—Is it not possible to give the Government some such assurances; can they not give an undertaking that the addresses delivered at the meeting shall be only those which are ordinarily delivered when an hon. Member meets his constituents and that there will be no appeal to the people to break the law.

DR. TANNER: There never is.

MR. W. P. SINCLAIR: Hon. Gentlemen have said that from shore to shore of the island the law of the League is the law of the land, and we cannot forget that that assertion has been made. I say that if hon. Gentlemen who are to speak at the meeting will promise that their speeches shall be of the character I have indicated then I think an appeal may fairly be made to the Government not to proclaim the meeting.

MR. J. O'CONNOR: I promise to deliver any speech I may make next Sunday to the Falkirk Burghs when I return.

(9.37.) MR. E. HARRINGTON: Does the hon. Member (Mr. Sinclair) submit the speeches he is about to deliver for the opinion of the Lord Advocate? A more indecent proposal, in the Parliamentary sense, has never been made in the House of Commons than that which the House has just listened to. My hon. Friends have not proclaimed their intentions to break the law, but merely to assert their Constitutional right to address their constituents; and yet here we are having it laid down as a Constitutional doctrine that

Members about to address their constituents in Ireland are to give an undertaking to the Government of the day as to the language they will use. If the right hon. Gentleman adopted a wise and statesman-like policy he would judge this meeting by those which have previously been held at that place. He has prosecuted no one who spoke and attended at the meeting at Tipperary on the 12th April, and he has no right to assume that the meeting of Sunday next will in any way differ from that meeting. The hon. Member for St. Pancras has tried to throw oil on troubled waters. I quite recognise the force of what he says: that every allowance must be made for the Government when they have avowed a settled and determined policy. But then, also, some allowance ought to be made for hon. Members who believe that they are within their right and are pledged to meet their constituents. They have not proclaimed that they will break the law, they are only claiming to exercise a Constitutional right which the Government are seeking to abrogate. This policy of repressing public meetings in Ireland, which hon. Gentlemen opposite treat so lightly, is, to our mind, a very serious grievance; and I say, with the force of my 11 years' experience, that by pursuing this policy you are fostering and encouraging secret societies, and that you will thereby bring about a crop of far more dreadful crimes than anything in the shape of intimidation. Why cannot the Chief Secretary rise to the greatness of a statesman? I thank those of our English friends who have come down to support us to-night. We should have been glad, if we could, to release hon. Gentlemen at an earlier hour, but we were forced into the course we have taken by the temper and tone of the reply of the Chief Secretary, backed up by the very ungallant references of the hon. and gallant Gentleman the Member for North Armagh to a man who is head and shoulders—morally and physically—above him. I recognise that for anyone to run the risk of bringing the people into close proximity with the forces of the Crown is a serious thing, but I consider that the right of public meeting is so sacred that men are bound to run some risk; and the answer of the Chief Secretary has left nothing open to us but to run that risk.

\*(9.48.) MR. HUNTER (Aberdeen, N.): When the hon. Member for Falkirk finds it necessary to address a caution to the Government, we may judge pretty well what the feeling of the country is. I listened to the speech of the Chief Secretary with amazement. A speech more atrocious, a speech more utterly devoid of argument, a speech more deliberately intended to wound, annoy, and insult than the Chief Secretary's it would be impossible for a man to make. That speech has convinced me that there is not a shadow of justification for interfering with this meeting. I have no hesitation in saying that the country will not hold him guiltless if one drop of blood is shed on Sunday. I advise my hon. Friends not to take the right hon. Gentleman seriously; he is dressed in very brief authority, and the day is coming with rapid steps when the right hon. Gentleman will be hurled from power and visited with the punishment he so richly deserves.

\*(9.52.) MR. CAUSTON (Southwark, W.): When I came down to the House to-night I had not the slightest intention of interfering in this Debate; but I cannot help supporting the appeal so well made by the hon. Member for North St. Pancras—an appeal which was really an attempt to throw oil on the troubled waters. The speeches delivered by hon. Members from Ireland have all been in a like direction; that of the Member for South Kerry was most conciliatory. We are told that this meeting is to be suppressed. Well, I can only say that when hon. Members declare that they desire to address their constituents in a peaceable, orderly, and Constitutional way, very considerable responsibility will be cast on the Government if any disaster occurs from the attempt to hold this meeting on Sunday next. I cannot conceive any wisdom in the policy of the Government. Since 7 o'clock Ministers have had an opportunity of conferring together, and now there seems to be a conspiracy to allow the Debate to close without any one of them saying a word. I am sorry we have no Members present on the Front Bench on this side of the House. But the Government must not construe their absence into a sign that

they approve the policy adopted in regard to this meeting. I believe that it is due to the belief that the House would be adjourned at 7 o'clock. I hope Her Majesty's Ministers will not take advantage of the fact to remain silent, and in that way to support the Chief Secretary and Attorney General for Ireland in carrying out their policy of suppressing this meeting. I do make a most earnest appeal to the Chief Secretary to re-consider his decision. I think the speeches which have been delivered from below the Gangway must satisfy him that this is intended to be an orderly political meeting. I hope that some independent Members of the Tory Party will support this appeal. I am sorry that anyone should have been put to the inconvenience of returning to the House, but now that we are here I trust we shall turn the time to profitable account.

\* (9.58.) MR. BYRON REED (Bradford, E.): I feel that there is a point at which silence becomes almost criminal. I am not prepared to play the part of a political criminal or a misrepresentative of my constituency in face of the addresses we have heard from the opposite side of the House to-night. I am here to say, as the Representative of a not unimportant English constituency, that none among the many actions of the Chief Secretary for Ireland will be more applauded in England on Monday morning than the announcement of his having prevented a disloyal and criminal meeting in Ireland. I am prepared to stand any odium which may be cast on me by hon. Gentlemen opposite, in consequence of my having pronounced this opinion. I am bound to say, in answer to the pleas of hon. Gentlemen opposite for the right of public meeting, that we on this side of the House are not usually deprived of that right except by the low Irish element resident in Great Britain. I have never received insult or contumely or disrespect from any body of my constituents whom I have addressed, save in one instance from a number of Irish voters whose votes I had declined. I then expressed myself in very plain terms, and said I should consider myself insulted by the votes of the disloyal Irish Party.

MR. J. O'CONNOR: There was not one of them but was better than you.

*Mr. Causton*

\*MR. BYRON REED: I am very sorry that hon. Gentlemen opposite should be at all affronted.

MR. J. O'CONNOR: Withdraw your insults, then.

\*MR. SPEAKER: Order, order! I must ask hon. Gentlemen to restrain themselves on both sides.

MR. J. O'CONNOR: There is no need to introduce any irritation or any thing disgraceful and to the scandal of this House.

\*MR. SPEAKER: Order, order! I rose for the purpose of allaying any feeling there might be.

MR. J. O'CONNOR: Allow me to explain. I should be very sorry to introduce into the Debates of this House a scandal—

\*MR. SPEAKER: Order, order!

\*MR. BYRON REED: I made no reflection on hon. Gentlemen opposite, who, I am bound to say, while ready to rain down charges of the most odious, atrocious, and untruthful character upon the head of the Chief Secretary, show themselves singularly thin-skinned when the mildest criticisms are addressed to themselves. Now, I would address myself for a brief moment to the proclaimed meeting at Tipperary. I can understand an hon. Member addressing his own constituents; but it is a different thing when Members from other places flock together for the purpose of flouting authority, setting the law at defiance, and causing disorder. What use would be made of it if this meeting were permitted to be held? It would be used in the columns of *United Ireland* as another instance of the weakness of the "base, brutal, and bloody Balfour." I am prepared to measure swords upon this point with hon. Gentlemen in my constituency, and to tell my constituents, what the House and English Members know, of the feeling and the views that prevail among Englishmen as to the disloyal action of the Irish Party in the past and the plans of the disloyal Party in Ireland for the future, and the obstruction of public business that takes place in this House. I believe that each English Member who goes to his constituents, as I will go to mine, to tell

them of the action of the disloyal Irish Party, who obstruct our business by the "dreary drip of dilatory declamation," and to tell them of the more than veiled insurrection which takes place night after night on the floor of this House. I say any English Member who goes to his constituents and tells them that will receive rich approval and hearty endorsement of his action at the next General Election.

\*[10.5.] MR. JUSTIN M'CARTHY (Londonderry): Mr. Speaker, I do not think the hon. Member who spoke last has added very much to either the interest or the dignity of this discussion. He complained of being driven from his platform. I do not wonder at a certain impatience being manifested at any speaker making such a speech to his constituents as that which the hon. Member has just delivered. I am very sorry that any speaker should be driven from any platform; but if the hon. Member speaks habitually to his own constituents as he addressed this House to-night, I cannot wonder that some demonstration should have been made. Although I do not approve of violent measures, one must make allowance for human nature, which after all, is weak and passionate, and could not stand many hours of declamation such as that with which the hon. Gentleman has just favoured us. In my position I cannot regret the course which has been taken by the Government, because we wish to accentuate and emphasise our protest against the system of ignoble personal rule which is now going on in Ireland. I think it an anomaly in a country like this, and in a Parliament like this, to have a system of Government like that which the Chief Secretary proclaimed and defended to-night. It reminded me of some of the chapters in Charles Lever's novels, when the Chief Secretary is interviewed by some "Con Heffernan," of importance and significance in his own district, in some room in this House, where is arranged a system of governing Ireland under which right of public meeting is not allowed, and all because this Con Heffernan had an interview with the Chief Secretary, and told him what ought to be done. The real anomaly is that this system should be allowed

to go on by a country like England, where people may hold a meeting without caring three straws whether the Government like it or not. But in Ireland, when a Member is going to address his constituents, the meeting is announced three weeks before, and no word is said against it until Con Heffernan interviews the Chief Secretary, who tells the Member that he cannot address his constituents unless in some room or small hole and corner place. I do not know whether there is any distinction in the Constitution of this country between a meeting held in a room and an open air meeting. I should like to know what you would think in this country if a Member were told that he may address his constituents under a roof and within walls, but that if he attempts to address the same men on the same subjects in the open air, the force and strength of the State would be employed to stop the meeting, even if bloodshed should be the result.

COLONEL SAUNDERSON: There is no National League in England.

\*MR. J. M'CARTHY: The hon. and gallant Member only shows his ignorance by making that statement, because there is a National League in England, on the Council of which I have the honour to sit. Let me remind the hon. and gallant Gentleman of what happened in the old days of the second French Empire, where the sort of system he advocates was carried into execution. In those days the people had to apply to the police for permission to hold their meetings, and the conditions were that they were not to exceed a certain number of persons, and that the meetings must be held under a roof and within four walls. We all know what a brilliant success was achieved under that system, and I am perfectly sure that a similar fate will await any English Government which attempts to enforce in one part of the Empire that French Imperial regulation which they dare not attempt to enforce elsewhere.

Motion, by leave, withdrawn.

SUPPLY—Committee upon Monday, 2nd June.



## ADJOURNMENT.

Motion made, and Question proposed, "That the House, at its rising, adjourn to Monday, 2nd June."—(*Mr. Chancellor of the Exchequer.*)

SIR W. LAWSON: I desire to ask, before the Motion is agreed to, the Government whether if a Motion is made for the adjournment of the House in order that hon. Members may attend a horse race at Epsom they will support that Motion? The business of the House is now in such a congested condition that I think it desirable to take every day we can obtain for the advancement of public business, and, therefore, the Government ought not to countenance an adjournment for such a purpose as I have indicated.

\*MR. GOSCHEN: I can only answer the hon. Baronet by leave of the House; but I would point out that however congested the business of the House may be the Government have not proposed to take Wednesdays for the purpose of proceeding with Government business.

Question put, and agreed to.

Resolved, That this House at its rising do adjourn till Monday 2nd June.—(*Mr. Chancellor of the Exchequer.*)

## SUPPLY [22ND MAY].

Order read, for resuming Adjourned Debate on Question, this day,

"That this House doth agree with the Committee in the Resolution 'That a further sum, not exceeding £3,929,500, be granted to Her Majesty, on account, for or towards defraying the Charges for the Civil Services and Revenue Departments for the year ending on the 31st day of March 1891.'"

Question put, and agreed to.

## BARRACKS BILL.—(No 234.)

## SECOND READING.

Order for Second Reading read.

\*THE SECRETARY OF STATE FOR WAR (MR. E. STANHOPE, Lincolnshire, Horncastle): In moving the Second Reading of this Bill I would only remark that the sooner it is passed the sooner will it be possible to remedy the insanitary condition of certain barracks.

Motion made, and Question proposed, "That the Bill be now read a second time."

DR. TANNER: This Bill is one that is brought in at a late hour, and I have to state that certain military gentlemen with whom I am acquainted have asked me to give attention to the matter, and have furnished me with certain details. The reason why I now object to proceeding with the measure is that I think it ought to be taken at a time when it can be discussed. I hope, therefore, that instead of trying to push it through at this juncture it will be put down for the first day of the re-assembling of the House, when we may have a full opportunity of considering its details.

Question put, and agreed to.

Bill read a second time, and committed for Monday 2nd June.

TEACHERS' ORGANISATION AND  
REGISTRATION BILL.—(No 178)

## SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. KELLY (Camberwell, N.): I wish to ask you, Sir, whether it is competent to put down for the Evening Sitting a Bill which has been put on the Paper for the Morning Sitting?

\*MR. SPEAKER: Order, order! The Question is that this Bill be now read a second time.

MR. KELLY: I desire, Sir, to point out that this Bill is one of a very extraordinary character, and has been so drawn that I am perfectly unable to understand to what schools it really refers. It certainly cannot apply to all the schools mentioned in the Act of 1868—that is to say, Winchester, Harrow, Rugby, Shrewsbury.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at twenty-five minutes  
after Ten of the clock till  
Monday 2nd June.

## HOUSE OF COMMONS,

*Monday, 2nd June, 1890.*

## QUESTIONS.

## LEPERS IN JAMAICA.

MR. GOURLEY (Sunderland): I beg to ask the Under Secretary of State for the Colonies if he is aware that in the Island of Jamaica there is a considerable population of lepers, the number of which is daily increasing, in consequence of there being no law compelling them to remain in the hospital until cured; and whether he can see his way to recommend the Governor to introduce a law compelling the isolation of people who may be suffering from leprosy?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): There is a considerable number of lepers in certain districts of Jamaica, but the Secretary of State is not aware whether the number is increasing. The question of the compulsory isolation of lepers is under the consideration of the Governors of Jamaica and other West Indian colonies.

## SAVINGS BANKS BILL.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the Chancellor of the Exchequer whether, when moving the Second Reading of the Savings Banks Bill, he will give the names of the persons to be appointed under the First Schedule?

\*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I will ask the House to read the Bill a second time, and then, before going into Committee, I will announce the names I propose to insert in the Schedule. I believe that course is in accordance with the usual practice of the House.

\*MR. J. E. ELLIS: Would the right hon. Gentleman give the names the same evening as that on which the Bill is read a second time?

\*MR. GOSCHEN: The names will be given before the Bill goes into Committee, soon after the Second Reading.

\*MR. J. E. ELLIS: The same evening?

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\*MR. GOSCHEN: I cannot undertake to say that.

\*MR. J. E. ELLIS: I presume the right hon. Gentleman will not take the Second Reading to-night?

\*MR. GOSCHEN: I hope the House will assent to the Second Reading to-night, as the Bill is one I should like to get before the Committee as soon as possible. Unless there be any general objection on the part of hon. Members, I shall take the Second Reading to-night. I certainly shall not ask the House to interrupt the ordinary course of business at an early hour in order to take the Bill.

## SCHOOLS IN LEWIS.

DR. MACDONALD (Ross and Cromarty): I beg to ask the Lord Advocate whether complaints have reached him that under pressure from Mr. Robertson, Inspector of Schools in Lewis, the teacher of Lionel School, about a month ago, felt compelled to show Mr. Robertson all the telegrams, private or otherwise, which he had received since the 1st of January; and whether Mr. Robertson requires the services of an assistant to enable him to superintend the comparatively small number of schools in the island?

\*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I have inquired into the matter and find that the teacher of the Lionel Public School, without pressure and voluntarily, showed to the Inspector two telegrams, and that he did so in order to clear himself of a charge of having attempted to inveigle another teacher into giving telegraphic intimation of the movements of the inspecting staff. A complaint as to this had been made to the Inspector by the aggrieved teacher, and the evidence goes to prove that it was well founded. The special duties of Mr. Robertson in these islands necessitate not only the constant services of an assistant, but also the occasional assistance of another official.

## EYEMOUTH HARBOUR.

MR. MARJORIBANKS (Berwickshire): I beg to ask the Lord Advocate whether it is competent for the Scottish Fishery Board to allocate any of the funds at their disposal for harbour construction and improvement as security

for advances to harbour authorities in Scotland by the Public Works Loan Commissioners; and, if such is the case, whether the Secretary for Scotland would consider the expediency of recommending this course to be adopted by the Fishery Board in the case of Eyemouth Harbour, where £25,000 advanced by the Public Works Loan Board has been expended in improving the harbour without any improvement to the harbour entrance, which is impracticable to fishing boats during large periods of each tide?

\***MR. J. P. B. ROBERTSON**: The Secretary for Scotland is favourably disposed to consider the case of Eyemouth Harbour, and if it be found possible to arrange for a portion of the funds coming into the hands of the Fishery Board to be allocated as a guarantee, he will be willing to give his sanction.

#### DIRECTOR OF CHANCERY IN EDINBURGH.

**MR. FRASER-MACKINTOSH** (Inverness-shire): I beg to ask the Lord Advocate whether there is any foundation for the rumour that the vacant office of Director of Chancery in Edinburgh, worth £600 a year, is to be bestowed on one of the already highly paid officials in the Register House, notwithstanding the Treasury Minute of 1881, which recommends the abolition of the office and the saving of the salary?

\***MR. J. P. B. ROBERTSON**: No, Sir.

#### THE EDINBURGH REGISTER HOUSE.

**MR. FRASER-MACKINTOSH**: I beg to ask the Secretary to the Treasury whether promotion by service and merit is recognised in the staff of the General Register House, Edinburgh; and whether it is true that a vacancy in the Inspectorship of Births, Deaths, and Marriages for the Northern Counties of Scotland has been filled up by the appointment, over the heads of several well qualified officials, of a Mr. Gordon, entirely unconnected with the service, and inexperienced in its duties?

\***MR. J. P. B. ROBERTSON**: I assume that the hon. Member refers to the appointment of a Mr. Gibson to the Examinership of the Northern District. The Examinership of this District, which includes the Hebrides, Orkney, and

*Mr. Marjoribanks*

Shetland, and a large part of the Northern Mainland, involves duties of a very special nature, and requires very special qualifications. Mr. Gibson, so far from being, as stated in the question, inexperienced in those duties, had acted during the absence of the late Examiner, on sick leave for some months, and he proved himself to be so efficient that it was decided to appoint him to the vacant office. The appointment of Mr. Gibson implied no disregard of the services and merits of the staff.

#### ARRESTS FOR TRIFLING OFFENCES.

**MR. BRADLAUGH** (Northampton): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the arrest, in Manchester, in February last, of Donata Cholla, charged with begging; whether the woman was far advanced in pregnancy; whether bail was offered at the police station and refused; whether, after some 24 hours' detention in the cell, the woman's state became so alarming that she was sent home in a cab, in the charge of two policemen, and shortly after died; and whether any steps can be taken to ensure either the liberation of persons charged with trifling offences who are in a dangerous state of health, or, at any rate, of placing them under proper medical care?

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT** (Mr. MATTHEWS, Birmingham, E.): I am informed by the Chief Constable that this woman was far advanced in pregnancy, but that her condition was not perceptible on account of her excessive corpulence. Upon her arrival at the station bail was offered by her husband, but, the Inspector being out on special duty, the husband was told that bail would be taken if he returned at 11 o'clock. He returned, but did not again tender bail, and consequently the woman was detained. She made no complaint until 12 o'clock on the following night, when she was at once sent home, and died two days afterwards from blood poisoning. The City Coroner held an inquest, and acquitted the police of all blame, and the Watch Committee, who made a special inquiry into the matter, found that the police had treated the woman with every kindness. I believe the practice of the Local

Authorities to be in conformity with the suggestions in the last paragraph.

Mr. BRADLAUGH: Do I understand the right hon. Gentleman to say that the woman died two days after she was sent home, because I understand that she was sent home on the Monday morning, and died the same night.

Mr. MATTHEWS: She was sent home on the Sunday night.

Mr. BRADLAUGH: It was after midnight, and was practically Monday morning.

"MITCHELL v. REGINA."

Mr. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Secretary of State for War if his attention has been called to a paragraph in the *Naval and Military Argus* of 22nd May, 1890, stating that the War Office people have given way in Major Shiel's case, but hold out in the case of the suppliant in "Mitchell v. Regina," and whether it is true, as stated in the *Argus*, that the suppliant is practically in a state of beggary, owing to the manner in which the War Office have acted; whether it is true that the suppliant in "Mitchell v. Regina" officially applied to the War Office, on 15th May, to be permitted to commute a portion of his pension of £215 a year, owing to his pecuniary distress, and whether that application was officially refused the next day; whether, under the Commutation Acts of 1871-82, an officer has a right to commute his pension less £80 a year; if it is the intention of the War Office to persist in pressing the suppliant in "Mitchell v. Regina" for the payment of the costs of the Crown; whether it is true that the suppliant in "Mitchell v. Regina" is the same officer who, as Lieutenant and Captain Mitchell, reported officially the illegal deduction of the Income Tax from himself and brother officers by the War Office; and whether, in consequence, the Duke of Cambridge issued a Corps Circular Memorandum on the subject, and a considerable sum of money was refunded to the officers so concerned?

\*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): My attention has not been previously called to the paragraph in the

military journal referred to. I may state, however, that Major Shiel's case is in no way analogous to that of Colonel Mitchell. I have no means of knowing in what pecuniary circumstances that officer now is. He was granted a pension of £600 a year, of which he has been allowed to commute £385 a year for the sum of £4,506. An officer has no statutory right to claim commutation, which can only be allowed on the recommendation of the Secretary of State. Having regard to the circumstances of Colonel Mitchell, I am unable to support his request to further reduce his annual income. The payment of the costs to the Crown, reduced by the omission of certain charges to about £260, will be insisted on. Colonel Mitchell is the officer who complained of certain assessments of Income Duty, which were decided in favour of the Royal Engineers.

Mr. HANBURY (Preston): May I ask if it is not the fact that the War Office sent in a claim for costs to this unfortunate officer which were nearly double what was received after they had passed through the hands of the Taxing Master?

\*MR. E. STANHOPE: I am unable to answer that question.

Mr. HANBURY: I should be glad to learn who the official is from whom the fact can be ascertained.

#### COLONIAL INSURANCE OFFICES.

Mr. HENNIKER HEATON (Canterbury): I beg to ask the Chancellor of the Exchequer whether he is aware that the Colonial Mutual Insurance Company, of Australia, whose head office is in Melbourne, has an affiliated office in London, which has deposited £20,000, and gone through all the legal formalities necessary to allow it to do insurance business in England; whether it is a fact that, when the English insurers in this office claim to deduct Income Tax, they are refused, because their parent office is in a colony, and are told that the law "knows no distinction between a foreign and colonial country;" whether this Colonial Insurance Office, being a British office, the only ground upon which equality is denied is its colonial connection; and whether he is aware that there are in Australia 20

English Insurance Companies upon which no special restrictions are placed, and they are placed on an exact equality there with the four leading Australian Insurance Companies?

\*MR. GOSCHEN: The Law Courts have decided that the 16 & 17 Vict. c. 91, which regulates the deduction from the assessment to the Income Tax, does not apply in cases where life insurance premiums are paid to companies over which Parliament have no jurisdiction, and, consequently, under the existing law, no deduction can be allowed in respect of life insurance premiums which are paid to Colonial Companies. Of course, it is open to Parliament to alter the law in that respect, and such alteration might be effected before next year. At the same time, I do not think that the Australian Insurance Companies have a very strong *locus standi* in the matter, considering that they themselves make a difference between colonial and British insurance.

#### QUEENSLAND.

SIR G. BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the Under Secretary of State for the Colonies whether the Government has any further information, which could be laid before the House, from Queensland, as to the movement for setting up separate colonies in Northern, Central, and Southern Queensland; and whether the Governor has recently reported specially on this question?

BARON H. DE WORMS: A despatch on the subject has been received recently. I need hardly add that the important and difficult questions raised will receive the fullest consideration.

#### TAXATION OF AERATED WATERS.

MR. WATT (Glasgow, Camlachie): I beg to ask the Chancellor of the Exchequer whether he is aware if it is a fact that the lowest estimate of production (by a manufacturer) of the 300 to 400 aerated water manufacturers in London is 20,000,000 dozens per annum, and that the total amount consumed or exported of aerated waters, untaxed temperance or other drinks or mineral waters, amounts to probably 250,000,000 dozen per annum; and whether, having regard to the fact that the profits upon a

*Mr. Henniker Heaton*

majority of these are stated to be in excess of those derived from any beverage sold by clubs, hotels, restaurants, public houses, &c., he will consider the advisability of causing these waters, being luxuries, to contribute something towards Imperial taxation?

\*MR. GOSCHEN: I might say that I would consider the advisability of proposing such a tax, as one might say that all such proposals may be considered, but I should create a false impression, as I do not think I could possibly see my way to taxing aerated waters.

#### INDIAN LETTERS AND PARCELS.

MR. FRASER-MACKINTOSH (Inverness-shire): I beg to ask the Postmaster General whether, by receiving prepayment, the Post Office is held to undertake the safe delivery of letters, packets, and parcels from India; whether there are, nevertheless, numerous complaints made of the tampering with letters, packets, and parcels in transit, and of their contents being removed or injured; and whether these robberies, chiefly affecting private soldiers in India and their friends in the United Kingdom, can be stopped?

\*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): In reply to the hon. Member, I have to say that, in the case of all letters, whether paid or unpaid, the Post Office does all in its power to deliver them safely. During the year ended the 31st of March last, the number of parcels received from India was 47,671, and of these the number alleged to be tampered with was four. There is good reason to believe, however, that in two of these four cases the tampering, if tampering there was, did not take place in the Post Office. Out of the 47,671 parcels the number alleged to have been damaged was 55. In many of these cases the contents were very fragile, such as butterflies, clay figures, and soap-stone models, or were not securely packed. As regards letters, we have no exact information of the number received from India during the same period, but the hon. Member will understand that they were very much more numerous than the parcels. Out of the total number, whatever it was, the number alleged to have been tampered with was nine; and in two out of these nine

cases the articles abstracted were eventually recovered. Whether the losses chiefly affected private soldiers or not I am unable to say; but, be that as it may, the hon. Member will, I think, agree with me that it is not a bad record, and that there is not very much to correct.

#### BUSINESS OF THE HOUSE.

**MR. J. MORLEY** (Newcastle-upon-Tyne): I wish to ask the Chancellor of the Exchequer, in the absence of the First Lord of the Treasury, whether the arrangement made by the latter to proceed with the Committee stage of the Tithe Bill this week still holds good?

**\*MR. GOSCHEN**: In the absence of my right hon. Friend I should not like to give a definite reply at this moment to the right hon. Gentleman's question. My right hon. Friend will be in his place to-morrow, and will then be able to answer any question on the subject. I may, however, say that the arrangement holds good so far, subject to any alteration my right hon. Friend may propose.

**SIR G. CAMPBELL** (Kirkcaldy, &c.): I wish to ask the Secretary for War how it was that the Second Reading of the Barracks Bill was taken on Friday before the adjournment for the recess, when on Thursday, the 22nd of May, the First Lord of the Treasury stated that he would only take four other pieces of Government business? The right hon. Gentleman was then asked whether, assuming that arrangement to be accepted, no other business would be taken, and he replied that, although he had no desire to impose conditions upon the House, in the event of the four Orders in question being concluded, and the Motion adopted for taking over Tuesdays and Fridays, he would move the adjournment. The question I wish to put to the Secretary for War is whether, on the evening of Friday, the 23rd, he had overlooked the statement of the First Lord of the Treasury, when he asked the House to pass the Second Reading of a very important Bill establishing a very important principle?

**MR. H. H. FOWLER** (Wolverhampton, E.): I had intended to put a similar question to the First Lord if he had been here to-day. Upon questions affecting the conduct of public business I think

there ought to be no mistake. I withdrew my block to the Report of the Resolution on which the Bill is founded on the distinct understanding that I would have an opportunity on the Second Reading of the Bill of raising certain Constitutional objections to the measure.

**\*MR. E. STANHOPE**: Perhaps I may be allowed to answer the question. There was not the slightest intention on the part of the Government to deprive the right hon. Gentleman of the opportunity of expressing his views with regard to the measure referred to. I apologise to the right hon. Gentleman for the course I took in the matter on Friday. What was done in reference to the Bill on that day was due entirely to my mistake. The right hon. Gentleman will have a further opportunity of raising his objections to the measure. I understood that there was no opposition to the Second Reading of the Bill.

**MR. T. P. O'CONNOR** (Liverpool, Scotland): If the Bill met with unanimous support, and there was no opposition to it, why was it not put down as the first Order of the Day rather than that the Government should render themselves liable to be charged with breach of faith?

**VISCOUNT CRANBORNE** (Lancashire, N.E., Darwen): Will the arrangement with respect to taking the Educational Estimates to-morrow hold good?

**\*MR. GOSCHEN**: Yes. The Estimates will be taken first and then the Code Bill.

**MR. BRADLAUGH**: In what order will Supply be taken after Class V. is disposed of?

**\*MR. GOSCHEN**: I believe that it will be taken straight on.

**MR. SHAW LEFEVRE** (Bradford, Central): Will the Committee stage of the Barracks Bill be put down for next week?

**\*MR. E. STANHOPE**: I am afraid that that must be left to my right hon. Friend the First Lord of the Treasury. Under the circumstances it will not be taken to-night.

**THE VICE PRESIDENT OF THE COMMITTEE OF COUNCIL** (Sir W. HART DYKE, Kent, Dartford): The Education Code will be put down for to-morrow;

though no unfair pressure will be put upon hon. Members. It is intended to follow the precedent of the right hon. Member for the Brightside Division (Mr. Mundella), and to discuss the Code with the Estimates.

#### THE NEWFOUNDLAND FISHERIES DISPUTE.

MR. J. MORLEY: I wish to ask the Under Secretary to the Colonies whether the Government propose to lay speedily before the House the Papers relating to Newfoundland? No Papers have been laid before Parliament in connection with the subject since the mission of my right hon. Friend the Member for Birmingham (Mr. Chamberlain), and, considering the state at which the question has arrived, it is important that the House should have information with regard to it.

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): I am able to answer the right hon. Gentleman's question at once. The Papers are being prepared with all possible despatch. I inquired this afternoon, and I understand that the Papers will be in the hands of hon. Members next week.

MR. STAVELEY HILL (Staffordshire, Kingswinford): When may Papers be expected with respect to Behrings Sea?

\*SIR J. FERGUSSON: I cannot promise Papers at present, because, as my hon. and learned Friend is aware, negotiations are still in progress with respect to this matter, and until they are completed it will be impossible to lay the record of the proceedings before Parliament.

MR. S. HILL: Were not the negotiations closed when Sir Charles Tupper retired from Washington?

\*SIR J. FERGUSSON: No; I think I have already stated that.

\*MR. GOURLEY: Is the report correct that a body of French marines have been landed in Newfoundland, and that the English Government have ordered a war vessel to proceed to those parts which are now considered to be disturbed?

\*SIR J. FERGUSSON: Her Majesty's Government have no information of any such events, and I am able to state that the French Government also have no such information. I believe that until some arrangement has been arrived at we may expect that the officers of both countries will maintain a conciliatory attitude.

*Sir W. Hart Dyke*

\*MR. GOURLEY: Then we may take it that the reports of the landing of the French troops and the sending of an English cruiser are inaccurate?

\*SIR J. FERGUSSON: I have every reason to believe they are incorrect, because it is most probable that if any such occurrences had taken place intelligence would have reached one of the two Governments.

#### THE LICENSING QUESTION.

MR. SEXTON (Belfast, W.): May I ask the Chancellor of the Exchequer what is the result of the further inquiries which were proposed to be taken as to the incidence of the Liquor Tax, which is proposed to be appropriated for local purposes?

\*MR. GOSCHEN: I must ask the hon. Gentleman to be good enough to repeat his question to-morrow or on Thursday. It has been impossible during the recess to continue all the business with which we were occupied up to the last moment before the rising of the House, and I am not able to say what progress has been made in the direction indicated by the hon. Member.

MR. SEXTON: Will the right hon. Gentleman place on the Table the terms of the reference?

\*MR. GOSCHEN: The Government have every desire to satisfy the wishes expressed in all parts of the House, but the matter is one which will require very great care.

#### THE ARMY ESTIMATES.

DR. FARQUHARSON (Aberdeen, W.): I wish to ask the Secretary of State for War if he can inform the House when the Army Estimates will be taken?

\*MR. E. STANHOPE: I cannot fix a date for these Estimates, but I have no doubt my right hon. Friend the First Lord of the Treasury will give some reasonable notice of the time when they will come on for discussion.

#### MERCHANT SHIPPING, 1889.

Copy ordered, "of Tables showing the Progress of British Merchant Shipping."  
—(*Sir Michael Hicks-Beach.*)

Copy presented accordingly; to lie upon the Table, and to be printed.—  
[No. 192.]

**ORDERS OF THE DAY.****SUPPLY—CIVIL SERVICE ESTIMATES,  
1890-91.**

Considered in Committee.

(In the Committee.)

**CLASS V.**

Motion made, and Question proposed,

"That a sum, not exceeding £114,920 (including an additional sum of £30,000), be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1891, for sundry Colonial Services, including Expenses incurred under 'The Pacific Islanders' Protection Act, 1875,' and certain Charges connected with South Africa."

(4.5.) **SIR G. CAMPBELL** (Kirkcaldy, &c.): The Government promised that these Estimates should not be left over this year until the month of September, when there would be no opportunity of discussing them, but they have considered it desirable to bring them on upon the first day after the vacation, when there are very few Members present. I have given notice of my intention to move various reductions in these Votes, especially in regard to Bechuanaland; but before we come to that item I wish to put a few questions to the Under Secretary for the Colonies upon several of the previous items. The first which I desire to put has reference to the Norfolk Island Mail Service. The sum which is asked for that Service is very small—£67 I think; but I want to know if the island itself belongs to us, or whether it belongs to the colony of New South Wales, or any of the other Australian colonies. If it has been made over to one of the colonies I do not see why the British taxpayer should be asked to pay even this small sum. The next item to which I would refer is that for the Mauritius Mail Service. As far as I can make out we appear to be paying the whole cost of the subsidy to our old friend the British India Steam Navigation Company. Hitherto, I find that the Government of the Mauritius has voted £5,600 for the maintenance of the Service, but I now find that Her Majesty's Government have thought it right to subsidise the company as well, and a sum of £7,500 is proposed to be

given to the British India Steam Navigation Company, of which we are asked to pay £2,813 this year. I want to know upon what ground this money is to be paid, and whether any new service has been undertaken by the company in addition to their ordinary trading occupations. I would ask further what is the necessity for a mail service between Colombo and the Mauritius to justify the Government in asking the taxpayers of this country to vote a subsidy of £7,500, in addition to an equal sum voted by the Government of the Mauritius, and what we gain from the arrangement? It is an item which appears in the Votes for the first time this year, and I wish to afford Her Majesty's Government an opportunity of explaining what it means. In order to enable them to do so I will move the reduction of the Vote for Norfolk Island and the Mauritius by £100.

Motion made, and Question proposed, "That item D, £2,813, Mauritius Mail Service, be reduced by £100."—  
(*Sir George Campbell.*)

\***(4.10.) THE UNDER SECRETARY OF STATE FOR THE COLONIES** (Baron H. DE WORMS, Liverpool, East Toxteth): In answer to the first question of the hon. Member, I have to say that Norfolk Island does belong to this country, and that an Imperial Grant of £100 was made on April 1st, 1889, for improved communications between that island and New South Wales, and was promised for five years, on condition that one-third of the cost should be borne by the island.

**SIR G. CAMPBELL:** Do I understand that Norfolk Island is practically a Crown colony?

\***BARON H. DE WORMS:** It certainly belongs to us. In regard to the Mauritius Mail Service, it has been found necessary to improve the service.

**SIR G. CAMPBELL:** It is a new Vote altogether.

\***BARON H. DE WORMS:** Both the Admiralty and the War Office have impressed upon the Colonial Office the necessity, from an Imperial point of view, of providing an improved mail service. In reference to the amount inserted in the Estimates this year, it represents for 1890-91 three-fourths of the expense.

**SIR G. CAMPBELL:** What advantage do we gain from the new service? Is a



new service to be maintained, or is it merely the subsidising of the old service already carried on by the British India Steam Navigation Company for local purposes?

\*BARON H. DE WORMS: The War Office and the Admiralty are, as I have already said, of opinion that there should be an improved communication for Imperial purposes.

SIR G. CAMPBELL: As I did not give the right hon. Gentleman any notice of the question, I will not press the Amendment, but will rest satisfied with the answer I have received.

Motion, by leave, withdrawn.

Original Question again proposed.

(4.12.) SIR G. CAMPBELL: The next Amendment I have to propose is the reduction of the Vote by the sum of £1,275, for the salary and establishment of the Governor of Heligoland. I have been a good many years in this House, but I have never heard yet any satisfactory explanation given of our possession of Heligoland, or what object the British Empire has to serve by retaining it. Being anxious to know all about it, I first obtained a map of Europe, and it was with some difficulty that I discovered the island at all. It appears to be situated in a bight of the German Ocean, somewhere off the mouth of the Elbe. As the map did not throw much light on the matter, I referred to the *Encyclopædia Britannica*, where I find Heligoland described as a small island with a population approaching 2,000, who principally live by entertaining German bathers during the summer months. I find that there is no wheeled vehicle whatever on the island, except a wheelbarrow and a few bathing machines for the use of the bathers. There are a few horses there in the summer, but they are withdrawn in the winter. They get their supplies from Hamburg and Bremen; the bathers are all Germans, and when they go away the place is so dismal and desolate that there is an unusual preponderance of suicide and insanity. All the residents except the Governor and the garrison are Germans, and, looking at the history of the island, it certainly does seem extraordinary how it ever came into our possession. It originally belonged to Denmark, but in

*Sir G. Campbell*

1817, being at war with Denmark, we took the island and found it useful when we were engaged in blockading Hamburg and other ports. But, although it might have been serviceable in those days, its possession now is an absurd anachronism. I, therefore, cannot understand why we should keep a Governor there at a salary of £800 a year, and a garrison of three coastguardsmen at a cost of £475 a year. The island is of no use whatever to us, and in the event of a war, the retention of it might be followed by humiliating consequences. I think it would be better to give up the island altogether, at a moment when we could do so with honour, dignity, and credit. Surely, in some of the negotiations which are going on with Germany, we might trade Heligoland against some territory in Africa, and save this £1,275 a year, which I cannot help looking upon as a most unnecessary tax upon the British taxpayer. With that view, I beg to move the reduction of the Vote by the sum of £1,275.

Motion made, and Question proposed, "That Item E, £1,275, for Heligoland, be omitted from the proposed Vote."—(*Sir George Campbell.*)

\*(4.16.) BARON H. DE WORMS: The hon. Member for Kirkcaldy (Sir G. Campbell) says we ought to give up Heligoland, but he did not say to whom we ought to give it up. The only reason he has alleged is that we ought not to pay £1,275 a year for an island which is principally used by German bathers. I think he also alluded to the fact that it is near the German Coast. But it follows from the hon. Member's argument that if, as he suggests, possessions of the Crown are to be given up for no better reason than because of their propinquity to other Powers, we might on that ground surrender not only Heligoland to Germany, but also the Channel Islands to France and Gibraltar to Spain. That is the natural consequence of his argument, but that view is shared neither by the present Government nor by those which have preceded them. When the question was discussed in 1885 Lord E. Fitzmaurice, the then Under Secretary for Foreign Affairs, and a firm supporter of the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone), said—

"He would ask the House to consider what would happen if he or his hon. Friend the Under Secretary for the Colonies were to bring in a Bill to hand over Heligoland to Germany. The Government would be denounced as cowards, and as crowning the edifice of their disgrace."

Those were the views of a Minister of the right hon. Gentleman opposite. Not a shadow of reason or excuse for giving up one of the possessions of the Crown has been brought forward by the hon. Member. The annual imports of Heligoland are over £30,000, almost entirely from the United Kingdom. I do not think it is necessary to waste the time of the House with arguments to show why we should not give up Heligoland. I certainly do not think the hon. Gentleman has shown any reason why we should do so.

(4.20.) MR. LABOUCHERE (Northampton): My hon. Friend the Member for Kirkcaldy has perfectly convinced me that we ought to give up this island of Heligoland. The only reason which the right hon. Gentleman opposite has assigned for not doing so is that it might lead to the cession of other possessions, and that we must necessarily give up the Channel Islands and Gibraltar. I will not enter into the question whether it is desirable that we should give up the Channel Islands and Gibraltar or not, but surely anybody but an Under Secretary of State, who is obliged to defend anything, should know that there is a very wide distinction between giving up Gibraltar and this wretched little sand-bank called Heligoland. Gibraltar is a harbour, and there are harbours in the Channel Islands upon which we have wasted several millions of money. Heligoland has no harbour; it costs us £1,275 a year, and it is absolutely worth nothing. I will tell the Under Secretary why we do not give it up. It is because there is a nice comfortable little office attached to it, and while we can have a little sand-bank, and place a Governor there with £800 a year, we shall never be ready to give it up. I have been there, and I may tell the right hon. Gentleman that it is not even a fishing island—only a wretched little sand-bank. If we gained anything in the world by it, it might be a matter for consideration whether it would not be desirable to retain it, but, as it is, we gain nothing whatever except

the power of spending £1,275 a year upon it. The right hon. Gentleman has told us what some Liberal Minister said in 1871.

\*BARON H. DE WORMS: In 1885.

MR. LABOUCHERE: Five years ago. A great deal has happened since then. The Liberal Party is not now what it was five years ago. The Liberal Party has consolidated itself, and has adopted more drastic Radical views with regard to these matters than in 1885. This is 1890, and I look upon the matter from the 1890 standpoint. We are spending this money, but there is no object in keeping the island. My hon. Friend says that German bathers go there, and it seems that the only object of its existence is that German bathers should go there<sup>e</sup>. So far as I am concerned, I do not care who gets it, so long as we get rid of this *damnosa hereditas*. During the wars with Napoleon it was made a dépôt for contraband goods we wished to introduce into the Continent, but it is practically of no use now.

(4.25.) MR. T. P. O'CONNOR (Liverpool, Scotland): I entirely agree with the remarks of my hon. Friend the Member for Northampton (Mr. Labouchere), and as to which Power the island should be handed over to, that is, I take it, a matter for the Foreign Office to decide. Personally I think there is a strong case for giving it up to Germany, as it is practically a suburb of the City of Hamburg. The Germans go there to bathe and enjoy their summer vacation, and there is no analogy whatever between Heligoland and Gibraltar or the Channel Islands. Even the Under Secretary has not ventured to assert that the island is of any value for strategical or military purposes, and I agree with the hon. Member for Northampton that it is quite enough to deal with Heligoland now, and wait until the question of what is to be done with Gibraltar and the Channel Islands arises. I believe that the people of the Channel Islands are very much attached to this country, and very properly so, because under the government of this country their prosperity has very much increased. Indeed, I would suggest to this House that if they were to study the case of the Channel Islands a little more carefully they might find it greatly to their advantage to extend the same

principle of government in other directions. The people of the Channel Islands are attached to this country because we have left them alone, have allowed their local institutions to grow up under their own control, and have not interfered with them in the assertion of their rights. The case of Heligoland is entirely different. We have only a garrison and a Governor there, and if we gave up the island to Germany to-morrow it would not involve us in one penny of loss.

*\*(4.26.)* MR. GOURLEY (Sunderland): I wish to remind the Under Secretary for the Colonies that the speech of Lord Edmond Fitzmaurice, which he has quoted, was made in answer to a Resolution brought forward in this House by the present Under Secretary for India (Sir J. Gorst), who suggested to the then Liberal Government that they should hand over Heligoland to the German Government. The view then expressed by the Under Secretary for India was, I think, the correct one. I have myself visited Heligoland, and I am satisfied that it is of no use whatever to this country. It is merely, as has been described by the hon. Member for Northampton, a useless sandbank, and no analogy whatever can be drawn between it and Gibraltar or the Channel Islands. Gibraltar we all know is of immense service to us, and so would the Channel Islands be in the event of a war with France. But Heligoland is of no value to this country whatever; and I agree with the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor) that it would be a graceful act on the part of this country to hand it over to the German Government, to whom it properly belongs. At the same time, he thought that the concession might be dealt with in what is understood to be disputes regarding German and British influence in Africa.

*(4.28.)* SIR G. CAMPBELL: The right hon. Gentleman the Under Secretary has invited us to enter into the question whether if we gave up Heligoland we ought not also to get rid of Gibraltar and the Channel Islands. I decline to enter into that question. I have no wish to get rid either of Gibraltar or the Channel Islands. The Channel Islands afford us a good example of the advantages of Local Government

*Mr. T. P. O'Connor*

and Home Rule. The Under Secretary justifies the course he takes by quoting a passage from the speech of a former Liberal Minister in 1885. But two blacks do not make a white, and I am afraid that it is too much the habit of the Front Bench to cover their own imperfections by a reference to those of others. My opposition to the retention of Heligoland is that it is altogether useless to us, and that it entails upon the British taxpayer an entirely unnecessary expenditure.

*(4.30.)* COLONEL NOLAN (Galway): I must say that, in my opinion, Heligoland would be a very valuable station in time of war. It would be a great centre for receiving intelligence both upon naval and military matters. Its possession would enable us to keep a good watch upon a very large portion of traffic from Hamburg, and therefore it has some strategic importance. Germany is an extremely friendly Power, but no people know better than the Germans that if one wants peace he must prepare for war.

*(4.33.)* CAPTAIN BETHELL (York, E.R., Holderness): Whatever we may think of the importance of Heligoland, it would, in my opinion, be extremely foolish to give it up as an act of grace without getting something substantial in return for it.

*(4.34.)* MR. T. P. O'CONNOR: Though I suggested that the island should be given to Germany, I never proposed that it should be given for nothing. On the contrary, I think we should drive the very hardest bargain we can.

SIR G. CAMPBELL: My suggestion was that the island should be traded away to Germany, and, of course, I meant in consideration of something else.

Question put, "That Item E be omitted from the said Vote."

*(4.35.)* The Committee divided:—Ayes 27; Noes 150.—(Div. List, No. 110.)

Original Question again proposed.

*(4.45.)* MR. HANBURY (Preston): I want to ask a question about the salaries paid to Governors in the West Indies. I find that there is a popula-

tion of over 1,500,000, and that there are no less than 10 Governors at large salaries. This is a relic of the ridiculous system of old days, and I do not know why so many Governors should be employed at such high salaries. Why should not a Governor-in-Chief of the whole of the West Indies be appointed? If I get a satisfactory answer from the Government I shall not think it necessary to move any reduction, but I think it is only reasonable to ask that the Government should look into the subject.

(4.49.) **BARON H. DE WORMS:** The question raised by my hon. Friend is a very large one, and one on which he could not expect me to give any pledge off-hand. Most of the West Indian Islands are at a great distance one from another, and it would, therefore, involve great inconvenience to place them under the same Governor. It is, however, a question of great importance, and one which will receive the full consideration of the Colonial Office.

(4.50.) **COLONEL NOLAN:** I would suggest that in the future the names of all the Governors should be printed in the Votes.

**MR. O. V. MORGAN (Battersea):** The hon. Member for Preston (Mr. Hanbury) referred to the number of Governors in the West Indies. I do not think he can be aware that during the last few years a very considerable reduction has been made in the number of Governors. It is possible that something more may be done in the same direction. I should be glad if the Government will look into the matter.

**\*BARON H. DE WORMS:** I will consider the suggestion of the hon. and gallant Gentleman the Member for Galway.

(4.52.) **SIR G. CAMPBELL:** The Under Secretary has said that the Colonies have not asked that the number of Governors should be reduced. Why should they? We pay the Governors, and I ask why we should do so? I know of no reason whatever. Colonists will not pay for a Governor if they can get us to pay him. I find that lower down in the Vote mention is made of Leeward Islands. We pay no less than £3,000 for a Governor there. I understand these islands are a number of trumpery islands in the West Indies. We pay £300 for a Secretary to the Governor, and—

**THE CHAIRMAN:** Order, order! The hon. Gentleman has a notice down to reduce a previous item. He must not go to the Leeward Islands until he has disposed of that notice.

**SIR G. CAMPBELL:** I only wanted to abbreviate the Debate. There is a vast number of Governors in the West Indies for whom we pay. It is unreasonable that we should do so. If it is important that the colonies should have Governors the colonies ought to be taxed to pay for them.

(4.54.) **MR. LABOUCHERE:** I wonder if the hon. Gentleman the Member for Preston (Mr. Hanbury) thinks he has got a satisfactory answer; for I can tell him from some experience of these matters things will go on this year, next year, and the year afterwards precisely as they do now. The best course for the hon. Member to pursue is to move some sort of reduction. He will get beaten at first, but his supporters will gradually increase. That is the only thing which produces any effect upon the Government, whether it be a Liberal or a Conservative Government. As to the Bahamas the Under Secretary admitted that the islands ought to pay the salaries of the Governor, but said there was not sufficient revenue. I see the right hon. Gentleman has got a colonial work there which gives him all the information which perhaps he did not possess at the commencement of the Debate. Possibly he will tell us what are the imports and exports of the Bahamas, what is the population, and what is the revenue, and in what way it is raised. It is very easy for the Representative of the colonies here to say, "Oh, the Bahamas do not pay because they have not got sufficient revenue," but it seems to me the question really is, whether the revenue could not be raised. The first business of any particular island is to pay its own way. If it does not we ought to get rid of it, no matter where it is situated. I want to have colonies which are of benefit to us, not wretched islands like the Bahamas. I cannot believe the Bahamas are so very poor that they cannot pay £1,000 per annum for a Governor. It is very probable that they do not want a Governor; or possibly they think £500 a year would be amply sufficient to pay a

Governor. We have a sort of notion that when we send a Governor to one of these wretched islands he is to be a sort of regal person. I once knew a Governor of the Bahamas, and he told me all about the thing. He told me how he had to give receptions, and he laughed and jeered at the idea when he ceased to be Governor.

\*BARON H. DE WORMS: The hon. Member has asked me what is the revenue and expenditure of the Bahamas. The local revenue in 1888 was £45,578, and the expenditure £44,429. The present debt is £83,136.

(4.59.) MR. T. P. O'CONNOR: While I agree with the general observations of the hon. Member for Northampton (Mr. Labouchere), I am rather glad the hon. Member for Preston (Mr. Hanbury) has not moved any reduction. The present Governor of the Bahamas is one of the most excellent Governors we have ever had, and has done a great deal to increase the resources of the colony. I invite the Under Secretary to prolong the discussion by giving us some information as to the recent measures taken. The Under Secretary seems shocked at the idea of giving us some information as to the proceedings in the Bahamas. I am sure the information must be at his disposal, and it is only fair he should give us an opportunity of knowing what these measures are. It may not have come to his knowledge that a former Governor of the Bahamas, named Sir Henry Blake, is taking credit for reforms which have been effected by Sir Ambrose Shea. I should be glad to have from the Under Secretary a statement giving credit where it is due. With the exception I have mentioned, I agree with my hon. Friend in his general contention, that there are too many Colonial Governors appointed, and that their salaries are far in excess of the duties they perform. Discussions such as these have been raised continually during the past 10 years, but have failed to lead to any practical result.

(5.0.) MR. PICTON (Leicester): The figures put before us show a surplus of revenue over expenditure in the colony, but yet we are called upon to vote this item. Why is it that we have to supplement the revenue by the payment of the Governor?

*Mr. Labouchere*

\*(5.0.) BARON H. DE WORMS: The hon. Member forgets, I think, the debt of £83,000.

(5.1.) MR. LABOUCHERE: I presume in the estimate of expenditure the interest on the debt is included? Perhaps the right hon. Gentleman can tell us also what becomes of this large surplus?

(5.1.) SIR G. CAMPBELL: We seem to get very little information from the Under Secretary. If the right hon. Gentleman will not tell the Committee, perhaps I may be allowed to explain that it is the oligarchy in these colonies who do not like to be taxed, and the Revenue is raised by taxation of the food of the people, contrary to all the doctrines of Free Trade, so dear to the people of these islands. Throughout the whole of the West Indies a select oligarchy rules in each colony and escapes taxation, while revenue is squeezed out of the food of the people.

(5.2.) MR. T. P. O'CONNOR: Will the right hon. Gentleman say by whom the Import Duties levied in the colony are fixed?

\*BARON H. DE WORMS: By the Governor and Legislative Council.

\*(5.3.) MR. PICTON: The matters I have to raise in connection with administration at Sierra Leone and the neighbourhood are of the gravest importance, and this will be allowed by anyone who has given attention to the latest Blue Book in reference to this part of our colonial possessions. In the first place, I think I have a right to make some complaint of the delay in the issue of this Blue Book. It was presented to Parliament in June last year, but it was not available to Members of this House until nearly the end of the year; and when it came into our hands, we found that much information we had a right to expect was omitted. But the information we do possess shows how heavy is the responsibility resting upon us. I am not, I think, using language of exaggeration when I say this Blue Book tells a tale of slaughter and incendiarism. The actions described in this book include the slaughter of an indefinite number of people in several native towns, the burning of six or eight towns, and punishments inflicted of a cruel character unknown to our laws on natives in the Colony of Sierra Leone or the neighbourhood. When I speak of the

slaughter of an indefinite number of people, I mean that we have no information as to the numbers; they must have been at least 300, and may have been 700 or 1,000. On page 74 of this Blue Book we have a document signed by J. C. Ernest Parkes, the superintendent of the Aborigines Department, which document gives the information gathered from prisoners taken at Fanima—

“All the inhabitants of two of the three towns which formed Fanima were killed when the attack was made by the police.”

Of course, we have no means of knowing the number, but the statement is that “all” the inhabitants were killed. I may be told that such are inevitable incidents in the administration of a great Colonial Empire. That may be so, and it is a misfortune if it is; but the point I insist upon, and I support my assertion upon the information in this Blue Book, is that this slaughter was to a very large extent due to the unauthorised action of an underling anxious, I suppose, to distinguish himself, and contrary to the express and repeated warnings of those who were in authority over him. The lesson we ought to learn from this record is the danger of giving an adventurous young man representing this Empire unlimited discretion in a savage country when he has not had experience and does not understand the responsibility that rests upon him. As it is, all the notice taken of his proceedings at head-quarters amounts to just this:—“It is very irregular, quite unauthorised, but it seems to pay on the whole, so you can do it again.” This and no more the telegrams from the Colonial Office amount to. Now, this underling of whom I speak was manager in a particular district of Sierra Leone, Sulymah district, and his name is Mr. Copland Crawford. On February 13th I asked a question of the right hon. Gentleman in reference to this officer, who, in the previous July, was convicted of manslaughter at Freetown, he having caused a native to be flogged to death, his object being to extort a confession of crime. Mr. Crawford was convicted and condemned to 12 months’ imprisonment. His health not being good, he was brought to England, and subsequently, his health not improving, he was released altogether. I only wish

the same consideration were applied to all prisoners; to some imprisoned in Ireland, for instance, who, if they had had similar consideration extended to them, would be alive to-day. It is to the proceedings of Mr. Crawford I wish to call the attention of the Committee. In September, 1888, he was placed in charge of the Sulymah district of Sierra Leone, a narrow strip of coast in the south east of the colony, bounded by the territories of a number of independent native chieftains, who have never yet been considered subject to the British Crown. Among these native chiefs was a certain Mackiah, whose head-quarters were at the town of Largo. I do not wish to make out this man as a saint; his character, probably, was as shady as his complexion. But I do not know that we can look among these natives for examples of the Christian virtues, considering the examples we have set them. To this chief Mr. Crawford paid a visit. He received no particular instructions to suppress or destroy Mackiah, but he was to enter into negotiations with a view to a peaceable settlement of disorders that had undoubtedly taken place on the frontier. On September 28th, 1888, Mr. Crawford paid a visit to Mackiah and was very hospitably entertained by the native chief. It is set out in Mr. Crawford’s Report to the Governor how Mackiah gave the party quarters for the night, presented sheep and rice to the men, and two white cloths for the Government. What recognition did he, Mr. Crawford, make of this hospitality? In this same Report to the Governor he wrote—

“As your Excellency is well aware, the only way to renew trade, not 5 per cent., but 100 per cent., which means good for the Revenue as well as good for the merchants and traders, is to smash once and for all Mackiah, on one side, and Gumbo Saido, Bocarry Governor’s brother, on the other.”

This view, thus expressed by Mr. Crawford, did not meet with the approval of the Governor of Sierra Leone, Sir James Hay. The Governor, having a longer experience and taking a sensible view of the position, wrote a letter to guide and instruct Mr. Crawford, in which he said—

“While I am pleased to note that your journey has not been attended by any untoward accident, I cannot but remark that it is one which should not have been undertaken

without specific instructions from the officer administering the Government, the more so as, at present, the relations between Maackiah and this Government are such that the future policy in dealing with him is one which requires much consideration."

Therefore, the proceedings of Mr. Copland Crawford were by no means approved by his superior officer. But what was the effect of this warning and rebuke? Within a short time we find Mr. Copland Crawford goes voluntarily to arrest two independent chiefs, whose names sound strangely on our ears, but they must be given in order to identify them, Fahwoondoo and Fangh Patch. These chiefs were presumably friends of the Government, but they were suspected, and as it turned out without justification, of treachery. Mr. Copland Crawford sent a party of men to Fahwoondoo's town to summon the attendance of the two chiefs. And why? Because he heard that a meeting of chiefs was to be held in the town, and this official seems to have been as much afraid of a meeting as ever the Irish Secretary is of National League meetings in Ireland. He straightway insisted that the meeting must be suppressed, and he sent Mr. Davies and a party of 12 men to arrest Fahwoondoo and Fangh Patch. Mr. Davies and his party of police were hospitably received in Fahwoondoo's town, and Mr. Davies asked the chief why he did not come when summoned. Fahwoondoo answered, not without dignity, that he fully intended to come when he felt at leisure. He was not called upon to obey the instructions of a man not representing his Sovereign. The words used, if rightly translated, were to the effect that he would come when at leisure. Thereupon Mr. Davies produced the warrant from Mr. Copland Crawford for the arrest, and laid hands on the two chiefs. Of course, a fight followed; 10 natives were killed and wounded, and three of the constables were wounded. The Committee will find the circumstances detailed on pages 12 and 13 of the Blue Book. The chiefs were conveyed prisoners to Sulymah, and were there handcuffed and gagged, and remained in that condition for a considerable time. But what did Governor Hay say to this? He regarded the whole proceeding as altogether unauthorised, and expressed his regret that this action should have

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been taken without his approval having been first expressed. He said—

"Apart from the fact that your action may create complications, it is at all times, and more so at present, unadvisable to arouse the hostility of the people with whom the police come in constant contact, as it may have a tendency to render their services as messengers, as heretofore, of little or no use to us when once distrust has been created."

"I remark," concludes Governor Hay—

"that you say in your Report that you issued a warrant to make this arrest; this, I need hardly inform you, was invalid, and should not again be resorted to."

In fact, Mr. Copland Crawford had no more right to issue such a warrant than I have, or any commercial agent trading on the coast. And yet we expect the natives to observe what we call law and order, although our agents behave in this lawless way! Governor Hay found these proceedings unjustifiable as well as unlawful, for, in a despatch to Lord Knutsford, on January 1, 1889, he says—

"There are hardly any grounds for believing that Fahwoondoo was one whit worse than the majority of chiefs in this part of the country, for whose shortcomings a great deal of allowance has often to be made, and from whom it is useless to expect that strict integrity and freedom from intrigue which Mr. Crawford undoubtedly seems to have expected, but apparently Fahwoondoo was the only chief whose acts were found out. In these circumstances I have thought it best to order the release of this chief from police surveillance, and I intend to send him back to his own country as soon as practicable. I feel, my Lord, that I shall be doing that which will conduce to the best interests of this portion of the Krim district in re-instating Fahwoondoo, who is the most influential, and, notwithstanding all his faults, the best of his compeers, as at present the people of the district are like sheep without a shepherd."

These are significant words. Mr. Crawford previously spoke of this chief as "a wolf in sheep's clothing," and yet, in two or three months, we find the Governor referring to the man as the shepherd of his people. It is remarkable, too, that in the earlier Blue Book, in reference to this district, Sir Francis De Winton, when he sent Lieutenant Phillips to try and settle matters, recommended the appointment of an approved chief, using a similar phrase that the unsettled state of the country was owing to the people being "as sheep having no shepherd." I think we should reflect on these observations made by the authoritative Repre-

sentatives of this country in those regions. We are continually destroying, banishing, or endeavouring to humiliate native chiefs who, by natural force of character, have gained eminence and influence among their fellows. The names of Cetewayo, Langalibalele, Dinizulu, Ja-Ja, occur as illustrations of this policy of ours, and many other instances might be recalled, men whose influence might have been availed of for the interests of civilisation, but whose influence we have destroyed, with the independence of their people, and then we complain of want of law and order ! Well, Mr. Crawford proceeded still in his violent policy, and Governor Hay, in despair, began to beseech for instructions from home. But Mr. Crawford would not wait for instructions. On December 12, 1888, Lord Knutsford telegraphed to Governor Hay—

"In answer to your telegram of December 5, you should warn Mackiah he will render himself liable to severe punishment if he enters territory under British protection. Am communicating with War Office: Chief object is defence of territory under British protection, and not to punish past offences."

Mr. Crawford would not wait for the grave consideration Lord Knutsford deemed these matters should receive. On the very next day to that on which Lord Knutsford sent this telegram Governor Hay telegraphed again to Lord Knutsford—

"Referring to your telegram of 12th December, Crawford reports that on 2nd December he captured Jehomah; 131 Mackiah's war-boys killed in action, one policeman severely wounded. Crawford recovered possession of 522 women and children, who had been captured by war-boys. I am asking what urged him to take the town."

It is clear that Governor Hay knew nothing about the recovery of these prisoners.

\***BARON H. DE WORMS:** Will the hon. Member read the later despatch?

**MR. T. P. O'CONNOR:** What despatch?

\***BARON H. DE WORMS:** I do not know the numbers of them by heart.

\***MR. PICTON:** The despatch goes on to state that 522 captives, mainly women and children, were found in Jehomah. It does not affect my point that Mr. Crawford acted entirely without authority and contrary to orders received from Governor Hay, and my point is in no way invalidated by a

later despatch founded on *ex post facto* knowledge. It is clear that the recovery of the 522 women and children was not Mr. Crawford's object; the town was captured in pursuance of his policy of "smashing Mackiah." Let me say here that if it is considered legal and part of our recognised policy to send an armed force to assault native towns to deliver domestic slaves we ought to know it. I have as much sympathy with such a mission as any hon. Member in the House, but let us understand if that is so, it has never been understood, and there is nothing to show that this was Mr. Crawford's object in capturing the town of Jehomah; he was pursuing his policy he had expressed as that of smashing Mackiah. I should like the Committee to know what was the effect of the telegram sent to Lord Knutsford. Six days afterwards Lord Knutsford telegraphed to Governor Hay—

"In reply to your telegram of 17th December, if you are quite satisfied that Crawford is not running undue risk, and can carry on energetic action with advantage, it seems undesirable to restrain him, but he should be warned to act with caution and report fully what steps he proposes before taking action."

This Mr. Crawford never did, and seemed incapable of doing. Nevertheless, this despatch of Lord Knutsford put new heart into Governor Hay, and, as will be seen, after this communication from the Colonial Secretary, he gave up all attempts to restrain Crawford. He had, indeed, just previously to the receipt of this telegram tried again to curb the violence of his insubordinate underling, and on December 17th, and after we had received the Report of the storming of Jehomah, but before receiving Lord Knutsford's telegram, he wrote to Mr. Crawford, and, after acknowledging receipt of a letter, in which Mr. Crawford announced his intention of making an attack on another town, he said—

"I have once more to point out that in so doing you have exceeded your instructions; you have no authority from this Government to assume the offensive by attacking towns, and, as stated in my confidential letter of the 11th instant, you must, on no account, adopt such a course of procedure. Your duty, as conveyed by the instructions which you have, from time to time, received, is to protect the integrity of the jurisdiction, and no hostile advance against the forces either of Mendingrate or Mackiah must be made without obtaining express permission so to do."



This is the third grave rebuke from Governor Hay to his irrepressible underling, yet Mr. Copland Crawford took no notice. On the 18th he received the telegram I have read, suggesting it was undesirable to restrain this young man; and so the storming, capturing, and burning of the towns went on until at last the Governor himself began almost to rejoice in these peculiar doings. I find on reference to page 61 of the Blue Books that Governor Hay, in a letter to Lord Knutsford, says—

"No one is more averse to resorting to arms than I am, but the present case was one of urgent necessity. Mackiah was threatening to overrun the Bum and Kittam districts. Had he been permitted to do so, the result would have been disastrous to British interests, and untold misery on the many hundreds who would have been led into captivity."

But surely there was no need to burn down towns and slaughter hundreds of natives simply because Mackiah was threatening to overrun certain districts. Surely the Government are strong enough to prevent this doing that. I protest against this wanton slaughter of poor black people simply because their chief threatens to overrun a British district. Now, in a letter from Governor Hay to Lord Knutsford, printed on page 71 of this Blue Book, I find these remarkable words—

"I trust in the course of the next two days to have completed my business here, when I will burn down the remaining towns and remove to Bandajuma, where Captain Mackay and myself settled on the site for the block house which I ordered Chief Momoh Keikei to clear at once."

"I will burn down the remaining towns!" Just as he might speak of an ordinary bit of business, to be polished off before he packed up and moved on. Surely if such frightful things as these have to be done they might be spoken of in terms other than these, and ought not to be referred to as mere matters of business. I think that, so far as I have stated my case at present, I have shown that Mr. Crawford has acted with gross insubordination, and that he ought to have been restrained: yet, instead of dealing with him firmly, Governor Hay hesitated; he appealed to the Home Government for advice, and while he was hesitating six or eight towns were burnt down and 700 or 800 people

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were slaughtered. There is one case of individual cruelty to which I feel bound to call attention, and that is the case of Gbannah Gombo, an ally of the Governor. On January 9 he was thanked by Governor Hay for his valuable assistance, but subsequently led astray by the evil example set him he looted and burned Bandajuma on his own account, and thus excited the indignation of the Governor, who consequently caused him to be arrested. He was taken to Freetown prison.

\***BARON H. DE WORMS:** May I ask on what authority these statements are made?

\***MR. PICTON:** Page 84 of the Blue Book contains particulars of the arrest. The third paragraph says that "Gbannah, for whom no excuse can be made," was arrested about January 17. On page 92 I find the following, signed by Mr. D. Palmer Ross, M.D., Edin., Colonel-surgeon:—

"Gbannah Gombo was admitted in the gaol hospital, Freetown, on the 24th July last, and died on the 1st inst. from the effects of blood poisoning. Previous to his arrival at the gaol he had been secured with a rope, and the loop around his right arm caused ulceration of the fore arm and induced the blood poisoning above mentioned.

"Gbannah Gombo was a man of weak constitution, and was badly nourished.

"It is, therefore, very likely that this condition of things, together with the marauding life he had led, accelerated his death."

Surgeon Ross, in his evidence at the inquest, said—

"The prominent parts of his body, such as his shoulders, his elbows, and his hips, were bruised, evidently from lying in a hard place, such as a boat. His right forearm was in a state of mortification or sloughing, caused by the tightness of the rope that had encircled both his arms. He died of blood poisoning, the result of the mortified arm, caused as I have above stated. I produce the written record of his case for the inspection of the Coroner and the Jury."

The Coroner's Jury returned a verdict to the effect that the said Gbannah Gombo came to his death on the 1st day of February by blood poisoning, caused by ill-usage. I do not think a matter of this kind can be passed over in silence. In the Stanley Exhibition there is a model showing the mortification of the hands of a slave produced by the narrowness of the fetters he had worn, and people who look upon this horrible sight little think

that anything of the kind can be done under the protection of the British Crown. It is not sufficient for the Colonial Secretary merely to express a hope that such accidents will be avoided in the future. At any rate, we must secure that such things shall be avoided in the future, and I do contend that those who have been responsible for such occurrences should be subjected to the severe displeasure of the Government. Again, I should like to draw attention to the nature of the bribes we give to these poor people. On page 50 I find that Mr. Copland Crawford, in his letter to the Administrator-in-Chief, dated December 11th, referring to a visit made to him by certain chiefs, says—

“On their departure I gave them 14 cases of gin and 14 pounds of tobacco, for which I would ask your Excellency's approval.”

This, be it remembered, was given to 13 chiefs. He might as well have given them 14 bottles of prussic acid. I am informed that only the worst kinds of spirits are sent out to Africa, and that the stuff used for bribes is sheer poison. The effect on the men who consume it is, first, mad drunkenness, then ill-health, demoralisation, and idleness. When forced by starvation they begin again collecting nuts, or other produce, with a view to obtaining more gin and more rum. On page after page you find instances in which demijohns of rum and cases of gin are given to these people by way of bribes. I think this practice should be most sternly prohibited; poison of this kind ought not to be used by the Government as current coin. In order to get an expression of opinion on this subject, I beg to move the reduction of the Vote by £500 as a mark of the displeasure of the House at the gross insubordination of Mr. Crawford and the weakness of the authorities, as well as of our dissatisfaction with the abominable practice of bribing inland chiefs with these bad spirits.

Motion made, and Question proposed, “That Item J, £2,500, for Western Coast of Africa, be reduced by £500.”—(*Mr. Picton.*)

\*(5.45.) **BARON H. DE WORMS:** I assure the Committee that I have listened to the speech of the hon. Member for Leicester with considerable

interest, not, however, untinged with regret that unfounded attacks should be made in the House of Commons upon the Governors of distant colonies that they indulge in fire and slaughter out of sheer brutality. This goes far beyond the licence that the House ought to be expected to allow.

\***MR. PICTON:** I never said anything of the kind. I never said or suggested that these things were done solely out of sheer brutality for a bad, selfish, and mercenary purpose; but I did say that all the proceedings were undoubtedly inconsistent with morality and Christianity.

\***BARON H. DE WORMS:** The hon. Gentleman gave the Committee to understand that the expeditions were undertaken not for the purpose of liberating captives, but of burning towns and killing people. But the sole object of the attack by Mr. Crawford was for the purpose of rescuing women and children who had been carried off from British territory, and who were then in slavery. Does the hon. Gentleman realise what such slavery in the interior means? There were 525 persons rescued by Mr. Crawford, and I ask the hon. Gentleman whether that did not warrant the action which he took? Would the hon. Gentleman have preferred that these 525 persons should have remained in slavery, and that those who held them should have been allowed to go scot free? Would that, in the opinion of the hon. Gentleman, be in accordance with the principles of morality and Christianity? It is true that in rescuing the 522 persons many of those who held them in captivity were killed, but would the hon. Gentleman have preferred that they should remain in slavery? If those are the views of the hon. Member I can assure him they are not the views of the House, or of the world generally. The hon. Gentleman read such portions of the despatches as would lead the Committee to believe that Governor Hay condemned the action of Mr. Crawford, but when I challenged him to read other portions he did not do so. If he had read them it would be clear that the Governor did not condemn the action of Mr. Crawford which led to the release of the wretched captives, though he did condemn that for which Mr. Crawford

was punished. The action of Mr. Crawford in rescuing women and children from slavery is one for which he has not been, and ought not to be, condemned. I think the statement made by the hon. Member was not a fair one. And now, as to the case of Gbannah Gombo. On the 8th of March, 1889, I answered a question put by my hon. Friend the Member for the City of London (Sir R. Fowler) with regard to the unfortunate case of this chief who died from the effects of mortification of his wound in consequence, as was alleged, of having been too tightly bound. On that day I said that the Governor reported that the chief's death was attributed to blood poisoning in consequence of the mortification of the wound, and that the conduct which led to such a result was greatly to be regretted. In that I expressed not only my own view, but the view of the Secretary of State for Foreign Affairs. The hon. Gentleman would have acted more fairly if he had stated that the question had been raised and had been fully answered on the 8th of March, 1889. I think the Committee will believe that, so far from these expeditions having been undertaken from the sheer spirit of wanton cruelty, as suggested by the hon. Member for Leicester, they were rendered necessary for the rescue of women and children, and nothing more was done than was absolutely needed for that object. I do not think I need weary the Committee with any further observations. I believe I have answered all the points raised by the hon. Member.

(552.) MR. T. P. O'CONNOR: The right hon. Gentleman has given a very weak answer to an extremely grave charge. I object to the observation that we have no right to make attacks on the Governors of these distant colonies. If the right hon. Gentleman had said that observations upon the acts of these gentlemen should be made with discretion and reserve, I should have agreed with him. But he seems to have suggested that we have no right at all to criticise their acts. Has he seriously studied the Constitution of this country when he lays down such a monstrous proposition?

\*BARON H. DE WORMS: What I said was that unfounded charges should not be made against men in responsible positions.

*Baron H. de Worms*

MR. T. P. O'CONNOR: The right hon. Gentleman said nothing of the kind. Of course, unfounded charges should not be made against anybody, and I wish the right hon. Gentleman had always remembered that in the course of his political career. Now, there are several parts of the case which the right hon. Gentleman did not attempt to answer. He did not explain the strange change of front on the part of the Colonial Authorities at home and of Governor Hay, who for weeks and months condemned the conduct of Mr. Crawford. That change of purpose has been little short of a scandal. How does the right hon. Gentleman account for the Colonial Office backing Governor Hay in condemning those unauthorised expeditions? He seems to be surprised that we echo the complaints of Governor Hay. The right hon. Gentleman now justifies Mr. Crawford on the ground of the rescue of women and children. But Mr. Crawford does not demean himself by putting forth any such plea of justification. What he says is something very different. On page 9 it will be found he says, in a despatch to the Governor, that the only way to renew trade, not by 5 per cent., but 100 per cent., which means good for the revenue as well as for the merchants and traders, is to smash this chief, and that I think this alone is sufficient to show that these expeditions were undertaken solely for vulgar brutal greed. "One hundred per cent." was the real reason for the expedition against Mackiah, and not the humanitarian object suggested by the right hon. Gentleman. Now, I should like to know what answer does the right hon. Gentleman give to the charge about the distribution of gin among the chiefs? Does the right hon. Gentleman approve of that course?

\*BARON H. DE WORMS: No.

MR. T. P. O'CONNOR: Then the right hon. Gentleman might have occupied a portion of his time in expressing condemnation of it. He completed his speech without saying one word in condemnation of it; and in his position his silence might well have been misinterpreted into approval of such a course. I think, even with a Compensation Bill to push through the House, that he might have ventured on some condemnation of the demoralisation of these

districts by the distribution of gin. The right hon. Gentleman never said anything on that subject. There is another subject—the treatment of the Chief Fahwoondo. On that subject the right hon. Gentleman said nothing whatever. All I can say is, Mr. Courtney, that I regard it as something very like an insult to the intelligence of this Committee that the right hon. Gentleman can get up and imagine that he can escape the grave indictment brought by my hon. Friend. As to the distribution of gin, I ask the right hon. Gentleman whether or not he approves of the conduct of Mr. Crawford? The right hon. Gentleman does not make a sign of assent or dissent. We shall extort from the right hon. Gentleman, if we continue this Debate, some more courteous and more proper treatment than he has hitherto given it. I come to the last point, and that is the treatment of this unfortunate man, Gbannah Gombo. I would like to call the attention of the Committee first to the despatch of Governor Hay—Despatch No. 86; from Governor Hay to Lord Knutsford—

“My Lord, with reference to my despatch of the 17th ultimo, in the third paragraph of which I stated that I was taking to Freetown, as prisoner, Gbannah Gombo, for plundering the town of Samah, in the Luhu country, I have the honour to report that that chief died in the gaol yesterday.”

This is a very terse description of this transaction. Who would imagine the horrors, some of which have already been detailed by my hon. Friend, from this description, “he died in the gaol yesterday.” This man died from cruelties which, if committed in Siberia by Russian officials, would have extorted from the right hon. Gentleman, who has distinguished himself in his career by strong denunciations of Russia, an expression of the fact that he was astounded and shocked that no word of reprobation had fallen from the right hon. Gentleman the Member for Mid Lothian. But because this transaction has been on British territory by British officials, the right hon. Gentleman thinks the justice of the case met by a mild expression of regret, which he has just read to the House. What happened? This man was so brutally ill-treated during his imprisonment that his arm mortified, and he died from blood-

poisoning. It is a most horrible and shocking story. I will read the evidence of the surgeon—

“The deceased Gbannah Gombo was admitted into the gaol hospital on the evening of the 24th January last, and died this morning. He was admitted in a weak and exhausted condition, suffering from the effects of ill-usage previous to his admission into the gaol. He had the marks of rope round his neck, his thighs, above the knee, and his elbows. The prominent parts of his body, such as his shoulders, his elbows, and his hips, were bruised, evidently from lying in a hard place, such as a boat. His right forearm was in a state of mortification or sloughing, caused by the tightness of the rope that had encircled both his arms. He died of blood poisoning, the result of the mortified arm.”

Now, here is the evidence of John Henry Williams—

“I am a lance-corporal of police. The deceased, Gbannah Gombo, was handed over as a prisoner to the police stationed at Maffui, about the middle of the past month by the Governor. I was one of the police. He was then tied; his arms were bound behind his back. The Private Secretary ordered us to keep the man tied. We were ordered by Mr. Parkes to take Gbannah Gombo to Bonthe in a boat. We left Maffui with the deceased on the morning of the 17th January. His arms were now tied before him, there being no handcuffs. We placed him in the stern, where he could lie or sit as he pleased. We reached Bonthe on the 20th, when the ropes were taken off the deceased, and we left there, on the 23rd, in the *Countess of Derby*, with him. When the deceased was first delivered to us at Maffui, the upper part of his right arm was a little bruised. We reached Freetown on the evening of the 24th, when I was directed by Mr. Parkes, who handed me at the same time an official letter for the gaoler, to take Gbannah Gombo to the gaol. That is the body of Gbannah Gombo lying in the dead-house, and which was just now viewed by the coroner and jury.”

Then this witness says—“The deceased, made no complaint,” a statement on which I have my own opinion. Here is a transaction which, if got hold of by the Russian Press, would effectually put an end to any of these Pharisaical denunciations of cruelties under the Russian Government. I do not wish to be misunderstood, Mr. Courtney. I condemn as strongly as anybody those atrocities which are committed in Siberia, taking the accounts given of them as not exaggerated. At the same time, I very strongly condemn a Christian and Constitutional Government represented in this House passing over these atrocities with such a mild expression of regret as we have got from

the right hon. Gentleman. I think that the Committee and the country have reason to be grateful to my hon. Friend the Member for Leicester for the manner in which he has brought this question before the House, and I think, on the other hand, that we have every ground for dissatisfaction with the scant, flimsy, and incomplete answer made by the right hon. Gentleman.

*\*(6.12.)* MR. G. OSBORNE MORGAN (Denbighshire, E.): Mr. Courtney, I think my hon. Friend has done signal service in bringing this matter before the Committee. I am perfectly prepared to make every allowance for one in the position of Governor Hay, who cannot refer home for authority, and is obliged to act on the spur of the moment, and who is liable to be made responsible for the acts of underlings and officials, who are not always men of the highest stamp. If the expedition had stopped at the original object of liberating a number of slaves, even though some persons had been unavoidably killed in the operation, I should not have been disposed to say anything, but the matter went a good deal further than that. The declaration of Mr. Crawford that his object was to increase trade 100 per cent. showed that his object was a very different one to that of simply liberating a number of slaves. As to the death of this unfortunate Gombo, no excuse whatever has been offered, and the case is practically undefended. But I confess I was disappointed that the right hon. Gentleman did not utter one word of regret or condemnation of the attempts which have been referred to, to bribe these chiefs with presents of rum and tobacco. I do hope, before the Debate closes, that the right hon. Gentleman will express his regret for this most objectionable practice.

\*BARON H. DE WORMS: The question raised by the hon. Member for Leicester was as to the action of Mr. Crawford in destroying villages and rescuing the captives, and not as to the distribution of rum. I answered that fully; and with regard to the presents of rum to the natives, I not only very strongly condemn any such action, but, as the Representative of the Colonial Office in this House, I, in the course of a recent Debate, expressed the strongest condemnation of the liquor traffic amongst the savages. It is the

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endeavour of Her Majesty's Government to do all in their power to limit and put down the traffic.

MR. T. P. O'CONNOR: Mr. Courtney, I have again to complain that the right hon. Gentleman has not answered my statements with reference to the Chief Fahwoondoo, and I challenge the right hon. Gentleman to point out one word of condemnation in the despatches. I want the right hon. Gentleman to point out in this Blue Book one single despatch or one single sentence in which any condemnation of the demoralisation of the chiefs by liquor is expressed. And here I must express my astonishment at the want of courtesy displayed by the right hon. Gentleman in not having given an answer to this question when previously put by my hon. Friend. I would further say that his position in this House is not so great nor so high as to place him above the ordinary courtesies of Debate, one of which is that when the attention of a Minister is called to a particular subject, and a question is put upon it, he should give an answer to it. I now ask the right hon. Gentleman what answer he has to give to the case put forward with regard to the Chief Fahwoondoo, whose imprisonment and ill-treatment have been so much complained of?

\*BARON H. DE WORMS: The hon. Gentleman who has just sat down has alleged that I have been guilty of discourtesy; but I think that if anyone has a right to complain of discourtesy it is for me to complain of discourtesy on the part of the hon. Gentleman the Member for Leicester.

MR. T. P. O'CONNOR: How?

\*BARON H. DE WORMS: In the first place, I had no notice that this subject was to be brought forward.

MR. T. P. O'CONNOR: It was on the Paper.

\*BARON H. DE WORMS: The hon. Gentleman had not the courtesy to inform me as to the subject he wished to draw attention to; and I think that the Committee will certainly acquit me of any discourtesy in not having, under the circumstances, been provided with all the papers relating to an incident which happened more than a year ago. The hon. Gentleman the Member for Liverpool has asked for some information with regard to the case of the Chief Fahwoondoo, and the only answer I

have to give is that at the time referred to the country in which that chief had authority was in an extremely critical and dangerous condition; and Fahwoondoo was suspected of secretly aiding those opposed to us; and, in the exercise of his discretion, Mr. Crawford thought it right to arrest Fahwoondoo and send him down to Freetown. That official was justified in what he did by the difficult position in which affairs were placed; but when Sir James Hay found there was not sufficient grounds for detaining him he was released.

SIR W. PLOWDEN (Wolverhampton, W.): It appears to me that the two chiefs who have been referred to were arrested in the most illegal manner, and that the illegality of those arrests has been fully established. But, notwithstanding this, the right hon. Gentleman appears to justify what was done. I should like to ask the right hon. Gentleman a question with regard to the unfortunate man Gbannah Gomb, who died from the treatment he received during his capture and subsequent confinement. I would remind him that this matter was the subject of a question addressed to him some months ago; and I would ask whether he has not received information as to the conduct of those who are responsible for what then took place. We have heard of the expression of dissatisfaction on the part of the Government with what was done by those persons; and I should like to hear from the right hon. Gentleman whether any measure of punishment has been enjoined by the Governor or any other authority with regard to their action? If not, I think the right hon. Gentleman, as representing Her Majesty's Government, might fairly say he is prepared to express the dissatisfaction they feel with regard to the very cruel treatment to which that individual was subjected.

\*BARON H. DE WORMS: During the time the hon. Gentleman has been speaking I have read the Report of the answer I made to the question he has referred to, and I find that I then said the Secretary of State had had under consideration the conduct of those who had so treated that unfortunate man, and had expressed his disapproval, at the same time warning them of what would

be the consequence if there were any repetition of the offence.

\*MR. PICTON: The right hon. Gentleman knows that when I ventured to allude to Mr. Crawford while another matter was before the Committee I was out of order, and I was rightly stopped by the Chairman. I then stated that I wished to bring this question before the Committee, and I should hardly have thought that a gentleman occupying the responsible position of the right hon. Gentleman could have been unprepared to have entered upon such a subject. I do not think I ever knew a case in which a story of wrong and misery and cruelty has been met in a more cold-hearted way than that in which this case has been met by the right hon. Gentleman. It is all very well for him to think that, because I am an insignificant Member of this House, he can afford to despise a question of this sort when brought forward by me; but the matter is one that does not rest with me; it rests with public opinion, and I am persuaded that public opinion will be on my side when I am found raising a question of justice and right, and can show that I have a fair claim to courteous treatment from the Ministerial Bench. I assert that the right hon. Gentleman has not treated me with due courtesy, and that if he thinks he can in the space of five minutes poohpoo a subject which it has necessarily taken considerable time to put forward in detail he is mistaken. He says the Government have condemned the employment of liquor to a demoralising extent among these people; but I ask for some evidence of this. Let the right hon. Gentleman produce a despatch in which the Government has taken this course. There is nothing of the kind in the Blue Book; while, on the other hand, the approval of the Governor is asked for and given, and the expenses are allowed. Can the right hon. Gentleman explain the unrighteous treatment of Fahwoondoo and his friends? The Governor said an illegal act had been perpetrated, which he condemned, and ordered not to be repeated. The question I have brought before the Committee is one of humanity, and I say that the Government dare not treat the people of Wales or Scotland as they treat these poor natives. I am afraid I cannot mention Ireland along with Wales and Scot

land, because things which are done there are justified by the Chief Secretary, and do not arouse so much attention here as any wrong that might be inflicted on the people of Scotland or Wales, in regard to whom Her Majesty's Government would take a very different course of action. I am afraid that no good result will follow what is being done in Africa until we understand that the black man's life is as sacred as that of the white, and that if the black is slaughtered needlessly a full account will be demanded. Here, however, no such account has been demanded, and no punishment has been inflicted. There has been nothing but a weak expression of the hope that such things will not happen in the future. I earnestly trust that I shall have the support of hon. Members on both sides of the House in condemning this most unrighteous course.

Mr. BRADLAUGH (Northampton): I cannot but regret that the right hon. Gentleman, who is responsible for this Vote, has not taken a different course. He has been dealing with a matter involving acts of reckless cruelty of which he has given us no clear condemnation, nor is there any clear condemnation of those acts in the Blue Book. He has given us some very nice phrases about the desire of the Government and the Secretary of State to diminish the liquor traffic, but there is no distinct condemnation of that traffic in the despatches here produced. The Committee have a right to expect something more definite. The truth is that most of the officials in contact with these unfortunate people treat them as though they were not human beings on anything like the same level with ourselves, and that is the difficulty of dealing with the different native races—a difficulty which the Colonial Office should take care to diminish as much as possible by expressing disapproval of the use of violence such as Captain Crawford has exhibited. I trust that the hon. Member for Leicester will go a Division upon this question, and that the vote will not be a Party vote; but that those who are in the habit of saying something ought to be done in behalf of the aborigines by the European race will now come forward and give their votes in favour of the Amendment.

Mr. Pictou

\*THE CHANCELLOR OF THE EX-CHEQUER (Mr. GOSCHEN, St. George's Hanover Square: I should be exceedingly reluctant to find this House avowing that there is not the same feeling in regard to this question on both sides of the House. It would, indeed, be giving a wrong impression to our fellow-subjects in many parts of the world to say that the same feeling did not apply to every part of the House. My right hon. Friend the Under Secretary for the Colonies is under the disadvantage that he has not been able to study the more recent despatches bearing on this matter during the past few days, and, therefore, it is impossible for him to answer with that precision on the subject than hon. Members below the Gangway, through having the subject in their minds, require. Under the circumstances of the case, however, I trust that hon. Members will not feel it necessary to divide. We shall, of course, vote against the Motion to reduce the Vote, and may give our fellow-subjects in distant parts of the world the impression that we approve of the proceedings which hon. Members have so strongly condemned in the course of the Debate; and it may be that after we have had time to thoroughly examine into them, we shall not approve of those proceedings. To force on a Division at this moment may be to give a wrong impression by inducing the outside world to believe that there is a difference of opinion amongst us. I need scarcely assure hon. Members that occurrences of this sort create the same impression on the Government as on other people. It certainly happens sometimes that there are unfortunate occurrences affecting other races than our own in which British officials are concerned; but, on the whole, the government of native peoples by Englishmen has been less marred by such occurrences than any other European administration of native affairs. In fact, our administration has been singularly free from these deplorable occurrences. With respect to the exceptional instance before the Committee, our view has now been expressed; and in these circumstances I trust that we shall not be compelled to divide, for the Division might, as I have explained, create a perfectly false impression.

(6.35.) **SIR G. CAMPBELL:** I am glad the right hon. Gentleman the Chancellor of the Exchequer has thought it necessary to supplement the very inadequate remarks of the Under Secretary for the Colonies with regard to these occurrences, and I endorse what he has said—that our agents in distant parts of the world have great difficulties to contend with, and that their administration is less marred by these deplorable occurrences than the administration of the officials of other European nationalities; but I do hold that the Government should always express strong reprobation when these deplorable incidents take place. I, myself, have a notice on the Paper bearing on this subject, namely—

“On Civil Service Estimates, Class V., Vote 3, Sub-head I., to move to reduce the Vote by £100 (part of the Salary of the Governor of Sierra Leone).”

The subject, however, has been so fully and adequately laid before the Committee by my hon. Friend below the Gangway that I do not desire to go over the ground again. I would say, generally, however, that the result of perusing the Blue Books has been to strengthen me in the suspicion I have always entertained that the object with which native races in all parts of the world are treated with cruelty and severity, especially on the West Coast of Africa, is not the humane one which is sometimes put forward as the pretext, but is to further the interests of local traders and monopolists. The object in the particular case to which the attention of the Committee has been called, seems to have been to raise the profit of British merchants from 5 per cent. to 100 per cent. Fourteen cases of gin were given to the native chiefs. It ought to be distinctly understood that such gifts ought not to be made by officials of the Government, and I think we are justified in asking for a distinct pledge from Her Majesty's Ministers that this practice will be discontinued in future. But Mr. Copland Crawford has been guilty in another case. Tried before the Colonial Court for flogging his servant to death, he was convicted of manslaughter and sentenced to 12 months' imprisonment. From Sierra Leone he was sent to England to undergo the sentence, as it was held that his health was not such as to enable him to

endure the confinement in the severe climate of the colony; but on reaching these shores, he was examined by two medical men, who certified that his health was so bad that his life would be jeopardised by imprisonment. The result is, that Mr. Crawford goes scot free. It may be that there was sufficient ground for releasing him; that he had suffered so much from the ill effects of the climate that it was necessary to remit the punishment, but I would ask who were the medical men who signed the certificate, and what was the form of it? Did the certificate say that the man was so ill that it would be fatal to him to endure this 12 months' imprisonment?

\*(6.40.) **MR. G. OSBORNE MORGAN:** I suppose I am right in assuming that Mr. Crawford will not be employed any longer by the Colonial Office.

\*(6.40.) **BARON H. DE WORMS:** I can give the right hon. Gentleman all the assurance he desires in that respect. I may explain that Mr. Crawford was sent to this country from Sierra Leone because it was found that his health was too bad to admit of his being detained there. It was believed that if imprisoned in that climate he would not live many months. On his arrival at Liverpool he was examined by Mr. Palmer Ross, colonial surgeon of Sierra Leone, at the instance of the Colonial Office, and by Dr. Beamish, the senior surgeon at Walton Prison, at the instance of the Home Office, and they certified as follows:—

“In accordance with the instructions of the right hon. the Secretary of State for the Colonies, we proceeded on board the *S.S. Lagos* immediately on her arrival at Liverpool (from Sierra Leone) at 8 p.m. of the 24th instant, and medically examined Captain Crawford. We found the following conditions to be present:—Absence of reflex action at left knee, slightly present in right knee; impaired sensibility of left foot and leg up to knee; inability to clench the hands tightly; unsteadiness of gait; oedema of both ankles and feet; enlargement of abdomen (evidently from fluid) with increased size of liver and spleen; excited action of heart; marked mental excitement; slight hesitancy in speech.”

I think that hon. Gentlemen will admit that such a state of health was amply sufficient to warrant the medical officers examining him in recommending that the remainder of the sentence should be remitted.

(6.42.) **MR. J. ROWLANDS (Finsbury, E.):** I think we should congra-



tulate the hon. Member for Leicester on the Debate he has brought about this afternoon. He has taken a great deal of trouble and spent a large amount of time in looking up the case and in laying it before the House; and after hearing the right hon. Gentleman the Chancellor of the Exchequer, it seems to me that there is only one course to follow. The right hon. Gentleman wishes us not to arrive at a too hasty decision, and not to appear to give a one-sided vote; then, I would suggest that the proper way to obviate any appearance of the kind would be to postpone the Vote so as to give the Under Secretary for the Colonies the opportunity he desires of informing himself on the subject. If the right hon. Gentleman does not accept this suggestion, I would advise the hon. Member for Leicester to divide the Committee. The Under Secretary cannot justly complain of having been taken by surprise, for I see the following on the Notice Paper:—

“Mr. Picton.—On Civil Service Estimates, Class V., Vote 3, Sub-head J (Western Coast of Africa), to move to reduce the Vote by \$500.”

In face of such a notice I should hold it to be the duty of the Minister responsible for the Vote to come down fully prepared for its discussion. It is his duty, I take it, to go through all the Blue Books relating to his Department from time to time. As he has failed to make a defence on this occasion, the only alternative is to postpone the Vote in order to enable him to make himself acquainted with the facts and to give us what explanation he can. The indictment of the hon. Member for Leicester had not yet been adequately replied to.

MR. W. A. M'ARTHUR (Cornwall, Mid. St. Austell): I think it only just to the Government to say that I know from private sources that Mr. Crawford's health was such as to render it quite impossible that he should undergo the sentence of imprisonment passed upon him. I admit that it is extremely difficult for the Colonial Office to control the action of its subordinates in all parts of the world. At the same time, questions of the sort under discussion ought not to be lightly passed over, as by so doing we may make a bad impression upon the native races if they have reason to think that an English subject,

*Mr J. Rowlands*

whether black or white, and whether at Sierra Leone or in Regent-street, does not have fair-play at the hands of the Government. We govern, I suppose, more coloured races than any nation in the world, and I believe the British Government is more popular amongst all coloured races than any other Government for the reason that these races believe they receive fair-play at our hands. It is of immense importance that that sentiment should be sustained. It is of enormous advantage to the trade of this country; therefore, I think that whenever instances occur where natives have been subjected to unjust treatment at the hands of our Agents, they should be thoroughly examined into and pronounced upon in this House. I trust it is not intended in the future to allow colonial matters to slide.

\*(6.49.) MR. WINTERBOTHAM (Gloucester, Cirencester): I would appeal to the Government to postpone this Vote, as I agree with the Chancellor of the Exchequer it would be a thing to be deplored to have a Division upon a subject upon which we ought to be all as one man. Wicked and abominable deeds have been committed in the name of this country, and the Minister who is called upon to reply for our Colonial Office, without having thoroughly informed his mind on the question, gets up and offers an apology which almost suggests some excuse for the person who is mainly responsible. We have a right to demand a more satisfactory reply than that, in the light of a more searching examination of the facts. We have a right also to be told not only that Mr. Crawford has been dismissed from the Service of the Crown, but that he has been dismissed under conditions which will debar him from receiving a pension. The Minister in charge of the Vote ought to have an opportunity of making such a speech as will prevent the necessity of a Division.

\*(6.50.) MR. HUNTER (Aberdeen): The tone in which the right hon. Gentleman the Chancellor of the Exchequer addressed the Committee was so essentially different from that which had previously been adopted on the Government Bench that I should be glad if it were possible to avoid a Division. But I would ask the right hon. Gentleman whether, in face of one case which has

been referred to, it is possible to escape a Division? I speak of the case of Gombo. He was a chief held in high respect and exercising authority in his own country. His is, therefore, an instance from which we may form a judgment as to the way in which the poorer people are treated. It was considered necessary to arrest him. He was arrested, and he was subjected to torture which led directly to his death. His hands were tied behind his back tightly with ropes that cut through the flesh. It is impossible that this should not have been known to those who were responsible for the arrest. The chief was so seriously wounded by this operation that, after he was taken to prison, the hand mortified and he died in consequence. What did the Colonial Office do? Here was a man cruelly done to death, and treated as badly as prisoners in Siberia. Did the Colonial Office express any condemnation of the proceeding? Not by a single word. Did they take any steps to punish the persons who were wilfully guilty of such atrocious cruelty? They took no steps even to ascertain who was to blame, and they actually abstained from a single word of condemnation. Lord Knutsford's Despatch of the 4th of March, 1889, merely acknowledged the receipt of the Despatch informing him of the Chief's death, and his next Despatch conveys his approval of such orders as had been issued to the police for the avoidance of such accidents in the future. What is the Chancellor of the Exchequer's opinion of this mode of treating such a case? How does he think it is possible for us to hold up our heads before the world? Under the circumstances I have referred to, if the proposed reduction is pressed to a Division I shall vote for it.

\*(6.57.) **BARON H. DE WORMS:** In justice to the Secretary of State, I cannot allow the statement of the hon. and learned Gentleman to go unchallenged. Lord Knutsford did condemn the unfortunate occurrence to which reference has been made, and I have stated that the strictest orders were given to the police that handcuffs should be used, and that the greatest care should be taken that no injury or hardship should be committed. That which Lord Knutsford approved

was not the unfortunate occurrence, but the immediate action taken by the Governor with the object of preventing a repetition of it. The man was violent in resisting his arrest, and his hands had to be secured. The police had no handcuffs with them, and the rope they used was extremely hard. It was in consequence of its hardness, rather than of the tightness with which it was tied, that his hand was lacerated. The man was in an extremely bad state of health.

(6.59.) **MR. LABOUCHERE:** The Chancellor of the Exchequer hopes we will not take a Division, because it may produce a wrongful impression on the black races if they vote as he says they will have to do on the other side. But we have two matters to consider. In the first place, we have to insist that cruelties of this nature should be prevented in the future; and, in the next place, we have to consider the action of Her Majesty's Government. Most unquestionably the action of the Government has been most improper in this matter. The right hon. Gentleman explained that Mr. Crawford, when he came to England after having been sentenced to 12 months' imprisonment for flogging his servant to death, was liberated because he was ill. But what are we to think of the administration of affairs in this place, when an officer who flogs his servant to death receives a punishment of only 12 months' imprisonment? I should have thought that Her Majesty's Government ought to have expressed the opinion that such a punishment was utterly inadequate. With regard to Gombo, the right hon. Gentleman has explained that what occurred was a mere accident. The police did not happen to have handcuffs with them, and the rope happened to be rather too stiff. But when the facts were represented to Her Majesty's Government did they make any protest? I say there is actually none on record. The right hon. Gentleman says Lord Knutsford approved of the instructions given to the police to be more careful in the future, but nobody was punished. We have another charge also to make against the Government. It is recorded in a Despatch printed in the Blue Book that Mr. Crawford gave 50 cases of gin to the native Chiefs. The Governor makes no sort of protest against this gift, but treats it as

a matter of course, and we may presume, therefore, that this is the way in which these chiefs are habitually treated in this part of the world. I think, on the whole, that the Government have come exceedingly badly out of this discussion. They have not acted with any sort of energy or determination, and if we had not had this discussion, the things would have been passed over as if they were entirely normal. Under these circumstances, if we go to a Division, I shall certainly vote for the reduction.

(7.5.) MR. T. P. O'CONNOR: I wish to know what foundation there is for the right hon. Gentleman's statement that Gombo behaved with great violence when he was arrested?

\*BARON H. DE WORMS: The statement is founded on information at the Colonial Office.

MR. T. P. O'CONNOR: There is a Despatch from the Governor to Lord Knutsford reporting the arrest, and it does not contain a word about resistance on the part of Gombo. There is not even a hint in the evidence of the Commissary of Police that Gombo, after his arrest, did not proceed to gaol with the greatest quietness. I give the right hon. Gentleman notice that we shall call on him to produce at a later date the information on which he founds his statement, that the course taken was justified by Gombo's violence. I am willing to concede that the intervention of the Chancellor of the Exchequer in the debate has given a considerably different complexion to that which it previously bore. The right hon. Gentleman the Under Secretary had treated the indictment of my hon. Friend the Member for Leicester (Mr. Picton) with a levity which was very unbecoming, and which led to a strong feeling of resistance. The Chancellor of the Exchequer has somewhat smoothed the situation by the very candid expression of his feeling of condemnation of the actions to which my hon. Friend alluded. But that is not enough. The right hon. Gentleman will see that we cannot allow it to go forth to the millions of the native races who are dependent on us that such transactions as are recorded in this Blue Book are treated with anything but the strongest condemnation by the Imperial Parliament. The Under Secretary for the Colonies

*Mr. Labouchere*

excuses the inadequacy of his reply by the shortness of the notice. If the Chancellor of the Exchequer will consent to give the Under Secretary an opportunity of further discussing the case later we shall be willing to refrain from taking a Division on the present occasion. Unless this be done, I think we are bound to challenge the opinion of the House on the question.

(7.9.) CAPTAIN BETHELL: Hon. Members opposite have treated the case as if Mr. Crawford was guilty of an act of personal cruelty to Gombo. I think it is only just to point out that, although Mr. Crawford was rightly responsible for the binding of the man, of course, the actual work was carried out by the police. No doubt Mr. Crawford behaved extremely badly in another matter, and was properly punished, but, at the same time, I think it is fair to acquit him of the charge of personal cruelty in this particular matter.

(7.10.) MR. WADDY (Lincolnshire, Brigg): The complaint we make is that not the slightest punishment has ever been meted out, not to Mr. Crawford, but to the police. Now we come to the case of Crawford. It is said he is not responsible for what occurred. We say he is. He himself has told us that the acts of cruelty were done by himself. What we complain of is that when he deliberately drew the attention of his superior officer to what he had done, not one particle of reproof is meted out to him. In his letter dated December 11th, and which is given in the Blue Book, Mr. Crawford dealt with two or three different subjects. In the first place he told his superior officer that he was about to commence almost military operations against certain persons whose names he gave, and then he said he had seen certain Chiefs, and added—

"I have so far succeeded in effecting peace between them, and they have all left quite satisfied. On their departure I gave them 14 cases of gin and 14lbs. of tobacco, for which I would ask Your Excellency's approval."

What took place? A formal and categorical answer was returned by His Excellency. His Excellency pointed out that Mr. Crawford had exceeded his instructions with regard to the warlike operations—that his duty was limited to defensive operations—and there was not a word of reproof as to the matter which

has been dwelt upon by various Members of the Committee. In his answer His Excellency never indicated in any sort of way that Mr. Crawford had done anything of which he ought to be ashamed. We complain that different treatment was meted out to the constable with his hard rope and to Mr. Crawford with his 14 cases of gin. It appears the Government have not come down to the House prepared to deal with the matter. In point of fact, the Under Secretary for the Colonies has been thrown over by the Chancellor of the Exchequer, on the ground that the Under Secretary has really not had time to read the matter up. We are to understand that if the right hon. Gentleman had had time to learn what is going on in his own office the thing would have been put in a nicer way. With an innocence which was very touching, the Chancellor of the Exchequer suggested, "You had better not divide, because it will put us in an unfortunate position; we must vote against you whether you are right or wrong, and it will give a wrong impression." I do not see why they should vote against us. If we are right let the Government do violence to their feelings and vote right for once. If it is right this amount should be struck out of the Vote let the Government agree to strike it out. If they cannot do that they can at least postpone the Vote until such time as they are ready to deal properly with this atrocious matter. To enable the Government to consider the matter and make up their minds in regard to it I am prepared to move that you, Sir, should report Progress. I do not wish to press the Motion to a Division, but I will do so if the Government say they will not withdraw the Vote. I venture to suggest that there is something very unconstitutional in this matter. The Government say they have information which we are not possessed of. I ask them to lay that information on the Table. If they have not given us all the information, let them give it to us. Perhaps we are all in the wrong; let the Government give us all the information they possess, and we shall see how the matter stands. A very pertinent question which was put from the Front Opposition Bench has not yet received an answer. Is it, or is it not, a fact that this man is to receive a pension for his

services? Are the Government prepared to say that Mr. Crawford shall not, when he recovers from his illness, as we all hope he will, and as we all believe he will, be re-employed in Her Majesty's Service? I ask for an answer to this question.

\*BARON H. DE WORMS: He will not.

MR. WADDY: And he is not to have a pension.

\*BARON H. DE WORMS: If the matter arises it will be considered.

MR. WADDY: Are we to be told that this man is to have a pension notwithstanding that he has committed these atrocities? If we are not to have an answer to the question I will move to report Progress.

(7.20.) MR. HANBURY: I should like to have a little more information on this point. Is this man going to have a pension, or is he not? It is really the gist of the whole thing. I doubt whether it is possible to give him a pension. I was astonished to hear the right hon. Gentleman say it has to be considered.

\*BARON H. DE WORMS: I never said anything of the sort. I said if the matter arose it would be considered.

\*(7.21.) MR. GOSCHEN: As a matter of fact the question has not arisen. No application has been made to the Treasury for a pension. When the case comes before the Treasury with the certificates that will have to be given as to good conduct, of course it will be dealt with as it deserves. My right hon. Friend is unable to answer the question which has really not yet been put to him. It does not rest with the right hon. Gentleman or the Colonial Office to decide whether the man shall have a pension. The matter will come before the Treasury and will be dealt with on its merits.

(7.22.) SIR G. CAMPBELL: Is it not a fact that a man who is compelled to retire from the Service on account of a serious crime is not entitled to a pension?

\*MR. GOSCHEN: I have little hesitation in saying he will not be entitled to a pension. There have been cases, no doubt, where it has been proved that the person committing an offence had suffered from sunstroke, or had suffered from the climate to such a degree that his head was affected, and was not properly responsible for his actions. I do not sug-

gest that that may have occurred in the present case; but I make the remark to show that it is difficult on the spur of the moment to give a final and definite answer. I should say, speaking off-hand, that the circumstances of the case are such that it would be impossible to give such an officer a pension.

(7.23.) MR. PICTON: I fully appreciate the intervention of the Chancellor of the Exchequer, but I ask him whether the case has been answered this evening, and whether he will not, under the circumstances, consent to postpone the Vote. The Under Secretary for the Colonies says he does not know anything about the matter, which practically amounts to him saying he does not understand his business.

\*MR. GOSCHEN: It is impossible, after the long Debate which has taken place, to postpone the Vote. The case was stated at considerable length by the hon. Member for Leicester, and I think the Committee are in full possession of the facts and able to form a judgment upon them.

MR. WADDY: Will the Government lay on the Table the documents they have spoken of?

\*(7.25.) MR. J. E. ELLIS (Nottingham, Rushcliffe): An important Constitutional point has been raised by the reply of the Under Secretary. Certain statements were made on this side, and the right hon. Gentleman got up and defended the cruel conduct of this man on the ground that certain information is in possession of the Colonial Office which has not been laid before the House. It is surely idle to print Blue Books and circulate them amongst Members of the House if a Minister can get up and defend action on the possession of information which is not in the possession of the Members of the House. We quite understand this kind of thing from the Chief Secretary for Ireland, but it is new to have it from the Colonial Office. If there was no other reason why this Vote should be postponed a reason has been supplied by the Under Secretary.

(7.26.) MR. R. T. REID (Dumfries): I was in hopes the Under Secretary would give some reply to what has been advanced. The Under Secretary has referred to something that is not in the Blue Book. Why is it we are not in

*Mr. Goschen*

possession of the additional information he has got?

MR. W. JAMES (Gateshead): I do not think anyone would be disposed to charge me with obstructing public business; but unless the right hon. Gentleman will give us all the information he has I think I should be justified in moving to report Progress.

(7.27.) MR. H. H. FOWLER (Wolverhampton, E.): We want to know on what evidence other than that contained in the Blue Book the Colonial Office have acted. I appreciate the force of the Chancellor of the Exchequer's objection to report Progress, and I am not prepared to vote for that Motion if it is made. But we have had sprung upon us by the Under Secretary the fact that there is information which has not been laid on the Table of the House. I think the House is entitled to ask for the despatch.

\*BARON H. DE WORMS: I said information.

MR. H. H. FOWLER: The information must have come in one or two ways: it must have come either in a telegram or a despatch.

(7.29.) MR. WADDY: At all events, I move to report Progress.

(7.30.) Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Waddy*.)

The Committee divided:—Ayes 61; Noes 121.—(Div. List, No. 111.)

Question again proposed, "That Item J, £2,500, for Western Coast of Africa, be reduced by £500."

(7.38.) MR. PICTON: I hope now we may come to a Division, but with the understanding that upon the Report stage the Under Secretary for the Colonies will be able to give us more ample information, more especially as to the despatch to which the right hon. Gentleman has referred as giving the information upon which he has based a statement he has made. If the right hon. Gentleman is not in a position to give us that information now, I do not wish to occupy time, but certainly many of us will expect the information upon the Report stage.

(7.39.) MR. T. P. O'CONNOR: I accept the suggestion of my hon. Friend, and it is not my intention to stand

between the Committee and a Division. I only wish to say, by way of personal explanation, that when the Under Secretary explained that Gbannah Gombo violently resisted arrest, I asked in what despatch such resistance was referred to, and the right hon. Gentleman said he made the statement upon information in the possession of the Foreign Office. It was not until half an hour after that that the right hon. Gentleman charged me with having misquoted him; he did not do so immediately after I had spoken.

(7.40.) The Committee divided:—  
Ayes 64; Noes 114.—(Div. List, No. 112.)

Original Question again proposed.

(7.50.) SIR G. CAMPBELL: The Amendment I have to move is the reduction of Sub-head P by £200.

MR. CONYBEARE (Cornwall, Camborne): Before that, I desire to move a reduction under the present item by £150, and I do this for the purpose of eliciting some information from the Government as to their policy and the present position of affairs in reference to the unfortunate King Ja-Ja. From the consternation among Members of the Government on the mention of this name, it would seem they have forgotten all about Ja-Ja, but I think it will be found the matter is pertinent to this Vote. It will be desirable to explain the circumstances under which Ja Ja was two or three years ago kidnapped by a British officer.

THE CHAIRMAN: The hon. Member is referring to a matter which does not appear to be included in the Vote. This is not the Vote for the Colonial Office.

MR. CONYBEARE: This is a Vote, I understand, for the Governors on the West Coast of Africa.

THE CHAIRMAN: Only one Governor, that of Sierra Leone, and the matter does not refer to that colony.

MR. CONYBEARE: On what part of the Votes shall I be in order?

THE CHAIRMAN: The hon. Member will not be in order upon this Vote.

(7.52.) SIR G. CAMPBELL: I have to move a reduction in Item P, the salary of the High Commissioner in the Western Pacific. I desire to move the reduction not on account of any general disposition to find fault with the conduct of Her Majesty's Representative in the

Western Pacific, on the contrary, speaking generally, the High Commissioner deserves the praise of the country for having done his best in the interests of all parties. But there are circumstances in which it is impossible for the best of High Commissioners or Deputy Commissioners to withstand the influence of a long-continued and bad policy. In the Debate which has just taken place the Representative of the Government has disclaimed the idea that the expeditions were designed for wholesale slaughter and bombardment; the expeditions on the West Coast were primarily made, he said, with a definite object, the release of prisoners, and so on, but this description does not apply to naval action in the Pacific generally. In a succession of Blue Books we have stories of the cruise of H.M.S. *Diamond* and H.M.S. *Opal*, and these narrations are nothing else than a series of bombardments of native villages, of slaughtering, and of destruction of native settlements and canoes. It is not necessary that I should go back upon these official accounts of two or three years ago, but I refer to the latest incidents of the kind which, though they have not yet found their place in a Blue Book, and only appear in a newspaper paragraph, bear all the traces of a continuance of that policy with which we have long been familiar. The paragraph to which I draw attention appeared on December 17th last, and described how H.M.S. *Royalist* had completed a seven months' cruise in the Pacific Seas, during which time many villages were burned, islands bombarded, and canoes and plantations destroyed for several murders which had been committed. I admit that those bombardments were caused by acts of violence committed by the natives, but our policy in this respect seems to be that if we cannot catch the actual murderers we execute vengeance upon the whole people. This seems to me to be a barbarous state of things. We, in fact, do exactly as the natives. They look upon Europeans as a hostile tribe, and when natives are ill-used by certain Europeans they revenge themselves upon the next European they catch, and very likely kill him. We do exactly the same thing, for when Europeans are ill-used we make reprisals, subjecting natives generally to bombardment, the destruc-

tion of their property, and all the harm we can inflict. It is a barbarous proceeding, and we cannot be surprised if the natives continue it. If the first offence had been committed by the natives these hostile operations might be, to some extent, palliated. But we have it on the highest authority—that of Her Majesty's Commissioner, according to the recent Blue Book on New Guinea—that the natives are the persons first sinned against. They defend themselves or make reprisals for injustice suffered, and then, because the actual offenders cannot be discovered, we execute vengeance upon the whole tribe, men, women, and children being killed, and whole villages being destroyed. The High Commissioner has told us that in many of these cases the natives had what they might consider reasonable excuse for what they did. Sir Peter Scratchley has given us the result of investigations he made, and in many cases the killing of Europeans has been caused by crimes committed by the latter against native law, unfair dealing, and the demand for vengeance aroused by the evils of the labour traffic. It is the opinion of Sir Peter Scratchley that on nearly every occasion the natives had received direct or indirect provocation, and in many cases the fate that befel Europeans was the result of reckless disregard of warnings given. The account of the cruise of the *Royalist* is but a parallel to many such cruises by Her Majesty's ships. It is a lamentable state of things, and surely it is incumbent upon us to try to put a stop to it. I might quote other evidence from the Blue Books. Mr. Musgrave, the Deputy Commissioner, says that the recruits from New Guinea were irregularly obtained in the first instance—meaning that the natives were kidnapped. Mr. Forbes also, our Resident in Samarang, says natives were kidnapped or entrapped by false statements, and the crimes of a few Europeans in this way are enough to inflame the natives of the Archipelago against white men for a whole generation. In fact, the authoritative evidence of our own officers shows that outrages on whites are the result of aggression; in the first instance, of whites against natives, either on the part of individuals or by those engaged in prosecuting the labour traffic, and whose crimes are avenged upon their

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successors. In our Blue Books we have accounts of barbarities committed by natives; but we have no statement from the blacks of their wrongs, which might excuse their barbarous vengeance. No one who reads the information put before us can doubt the grave evils of the labour traffic. I ask, Do the Government mean to maintain the system of which this cruise of the *Royalist* offers an example? Is it the only system we can resort to? I hope we may be told that there is no intention to continue this policy of simply barbarous vengeance, this system of merciless bombardment and slaughter, which is a discredit to the British name, and condemned on high authority. I move the reduction of the Vote by £250.

THE CHAIRMAN: The hon. Member has not observed that there is no salary for the High Commissioner included in the Vote. There is for the Deputy Commissioner.

SIR G. CAMPBELL: I move the reduction in respect to the salary of the Deputy Commissioner.

Motion made, and Question proposed, "That Item P 1, £1,890, for salaries of the Western Pacific High Commission, be reduced by £250, part of the salaries of the Deputy Commissioners."—(*Sir George Campbell.*)

(8.10.) COLONEL NOLAN: I do not agree with all the hon. Member has said; but I think he deserves the thanks of the public for bringing this question before the Committee. The Committee is not largely attended at this moment, but this is a question which ought to receive European attention, and our discussion here may serve to draw that attention to it. I do not agree with the hon. Member that these proceedings are particularly discreditable to the British name. I remember a speech delivered about a month ago by the hon. Baronet the Member for Dublin (Sir T. Esmonde) on his return from the Pacific, wherein he said that the British were more tolerant towards the natives than the Germans were. Outside the sphere of American influence the English and Germans are best known among the natives, and it is acknowledged that, of the two, the English are the more tolerant, so that it is the conduct of

Europeans towards the natives that is in question, and the action of England is not to be singled out for condemnation. To a certain extent I agree with the hon. Member, and I think that bombardment of towns is about the worst remedy that can be resorted to to check the violence of natives, but I cannot go so far as to say when Europeans are murdered, even if other Europeans have been aggressors, that, therefore, the murderers are to escape. It may be impossible to find any evidence to convict the actual murderers, it may be that the natives on an island may kill and eat a whole boat's crew, and some punishment must be inflicted upon the inhabitants of that island. I should not object to the landing of a force, and the shooting of a certain number of men, but a bombardment kills, probably, only the old people, the women, and children, because all who are able to do so seek shelter when the first shell falls. I look upon bombardments of towns as cruel and unnecessary, and I really think it ought to be ruled out of all warfare, civilised or uncivilised. Of course, if, in the shelling of a fortified place, a shell falls among the civil population that is but one of the chances of war. It would be quite possible to land a larger force to capture a certain number of men who, in all probability, if not the actual murderers, must have connived at the murder of Europeans, and execute them. Though I do not go so far as the hon. Member, I support his protest, for I think the policy of bombardment ridiculous, and it inflicts punishment upon those who are least guilty among the people. An arrangement should be arrived at by the American and European Governments for police measures for the punishment of outrages upon Europeans. Punishment there must be, or there will be no chance for any shipwrecked crew; and the punishment should be severe and systematic. I do not blame the officers of the *Royalist*, for they were only obeying orders and following the old custom; but in future I should like to see the shelling of villages discontinued, unless resistance is offered.

\*(8.14.) **BARON H. DE WORMS:** No specific allegations have been made by the hon. Member for Kirkcaldy, and it is rather difficult to answer the vague and general accusations which the hon.

Gentleman has made against those who have to administer affairs in the Pacific. The hon. Member quoted from a Blue Book, dated some years back, the opinion of Sir Peter Scratchley—

**SIR G. CAMPBELL:** I referred to the cruise of the *Royalist*, and that vessel has only just returned.

\***BARON H. DE WORMS:** The hon. Member dwelt upon the opinion of Sir Peter Scratchley, who has been dead for more than three years. I can assure the hon. Member that when extreme measures are resorted to Her Majesty's naval officers act with as much humanity as is possible, considering the object in view. The statement that the whites are always the aggressors cannot be substantiated. Within the last few months a crew of Europeans were engaged in fishing when they were all murdered, and most of them eaten by the natives.

**MR. E. HARRINGTON (Kerry, W.):** Were they in their boats?

\***BARON H. DE WORMS:** They had landed on the coast with no intention but fishing.

**MR. E. HARRINGTON:** Landing was regarded as an act of aggression.

\***BARON H. DE WORMS:** There have been many cases where Europeans have been murdered without any provocation. It is only in such extreme cases that it is necessary for us to assert our authority, and to show the natives that these horrible massacres cannot take place with impunity. The only way of punishing tribes who commit outrages on passing vessels, or on individual traders, is by what may be called an act of war. The High Commissioner has no jurisdiction over the inhabitants of the islands. Those responsible for carrying out such an act of war are the officers of Her Majesty's ships; the action can only be carried out by means with which the hon. and gallant Gentleman who has just spoken is familiar. I am not in a position to say if bombardment or another method should be adopted; that does not come within the scope of my duties. The only assurance I can give the Committee is that these extreme measures are only taken in extreme cases, and that they are always carried out with the greatest humanity, considering the object in view. No more force is used than is absolutely necessary. No brutality



is used, and it is with the greatest regret that Her Majesty's ships are sometimes obliged to be employed in this service.

(8.20.) COLONEL NOLAN: It is an important admission we have had from the right hon. Gentleman; he disclaims the onus of these proceedings, and throws all the responsibility upon naval officers. Now, I do not believe that when this statement becomes known—of course, the right hon. Gentleman can correct or amplify or explain his statement in *Hansard*—but I do not believe that after this statement naval commanders will resort to the practice of shelling native settlements on their own initiative, unless, of course, they consider themselves justified by the armed resistance of the natives. Now that entire responsibility is thus officially cast upon the naval officers in the Pacific I do not believe they will do it.

\*BARON H. DE WORMS: The entire control of the operations; and, therefore, the responsibility must be with the commander of the ship.

COLONEL NOLAN: It comes to very much the same thing. I do not believe that any captain of a ship will incur the responsibility of bombarding a village if all the odium of the act is to rest upon him, an odium which the Under Secretary is so anxious to disclaim.

(8.25.) MR. E. HARRINGTON: I think we are all ready to protest against the doctrine that we are justified in shelling a native village because some of the inhabitants of the village may have had a quarrel with Europeans, which ended fatally for the latter. It may be that those engaged in the quarrel are not in the village at the time of bombardment, and the innocent only suffer from our reprisals. I sometimes doubt our claim to be considered pioneers of civilisation when I read of such incidents, and I am not surprised that savage peoples do not always accept our ideas of civilisation, thus enforced by shot and shell. The right hon. Gentleman has made a Ministerial speech from a Ministerial point of view, but it is not a complete answer to the criticisms offered.

(8.27.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*Baron H. de Worms*

(8.30.) MR. E. HARRINGTON: In regard to colonial matters I would advise no man, no matter what his political views, to be party to a count out. These matters cannot be treated lightly, and the House cannot be counted on the first night after re-assembling when colonial matters are being discussed. It is not a matter which directly affects the country I come from. Still I would ask, What would have been the effect in the colonies had they read in the papers tomorrow that the House had been counted out on colonial questions? I would venture to address the word of warning to hon. Gentlemen that it is not well that colonial matters should be treated in this way. I am aware that others are prepared to address the House on the subject, and I, therefore, resume my seat with great comfort and convenience to myself. (8.32.)

(9.4.) MR. CONYBEARE: I think it will be difficult to find a more important subject affecting this Empire than that which has been raised in connection with this Vote. The proceedings which are under consideration in connection with this Vote illustrate in a very forcible manner the nature of our policy in dealing with what I suppose I must call heathen or barbarous tribes in different portions of our dominions.

(9.5.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

(9.7.) MR. CONYBEARE: The fact that two counts have taken place within the last half hour or so adds point to the observations I was about to make. It shows the deplorable absence of interest on the part of Members on both sides of the House in the proceedings on colonial matters at a distance from home, but which yet go to the root of our dominions throughout the world, and until Members feel bound by a sense of duty to take a greater interest in these matters, and to listen to the facts we are able, by industrious investigation of the Blue Books, to bring before the country, I am afraid that the nefarious atrocities that disgrace our character in the eyes of the people we profess to try to civilise will never cease. When the count was moved I was about to say that it has been a frequent matter of comment that, with all our boasted Christianity, the results

of our operations amongst native races have been miserable to a degree, and that it is not surprising that we are not more successful in gaining over to Christianity heathen tribes in the Western Pacific, as well as elsewhere, when we consider the methods adopted to impress upon them what we regard as the fundamental principles of morality. It is also a matter of comment that, even where we do partially succeed in converting the heathen, the good that we may do is almost as speedily undone by the mischief produced by the amount of spirituous liquor we introduce amongst the natives in the name of British trade. I am not, however, on this occasion going to comment on that aspect of the case, though I cannot shut my eyes to the fact that it is one of sufficient importance to require the constant attention of Members of this House. But in connection with the particular matters which we have under our consideration to-night, I want to insist on the peremptory duty which rests upon us as Members of the House of Commons to control far more than we do at present the action of Her Majesty's Representatives in the form of the officers of ships of war and Consuls who seem to exercise an absolutely autocratic power of life and death, and to exercise, in the most ruthless manner, the power which is placed in their hands for the purpose of destroying whole villages and districts and great numbers of the lives of natives. I have here a newspaper report of "A Cruise of Revenge" in the South Pacific, and I want the Committee to observe what the facts are. The report says—

"Her Majesty's ship *Royalist* completed, on the 15th ultimo"

—that is somewhere at the end of last year—

"A seven months' cruise in the Pacific seas, during which many villages were burned down, islands bombarded, and canoes and plantations destroyed. The *Royalist* paid the most attention to the Solomon Group, where several murders had been committed. After investigating the case of the massacre of the crew of the vessel *Savo* and the murder of Messrs. Dabelle, the *Royalist* fired on the villages of the murderers. The natives, however, had fled on the approach of the war vessel, and none of them were killed. Their villages, canoes, and plantations were, however, destroyed by the war ship's guns. Manoba was shelled by the *Royalist* and the place destroyed. This was the chastisement for the murder of Mr. Armstrong, the Government Agent. Dinner Island was also bombarded by the *Royalist*. The

natives at this place had murdered two prospectors who had visited the place. The natives here also had fled, fearing the destruction of their villages, and witnessed the bombardment from the tops of the mountains. When the *Royalist* visited Rendon, Lopko Kongo, she received news of the massacre of a boat's crew of the *Enterprise*. After killing the crew, the natives cut up the bodies in a shocking manner, and ate most of them. The place was shelled by the *Royalist*, after an unsuccessful attempt had been made to capture some of the murderers. Some of the *Royalist's* crew suffered considerably from fever, but no deaths occurred."

I am not desirous at all of inveighing in general or unmeasured terms against the actions of our Representatives in these distant and barbarious latitudes. I am perfectly well aware that the duty which our Representatives have to carry out, under such conditions, and in such places, is onerous and difficult, and highly responsible. No doubt great crimes are committed by the natives, and I do not say they should not be visited by some sort of retribution; but it does appear to me that in many of these cases our Representatives do not act with as much judgment, clemency, and regard for the principles of Christianity which they are supposed to be trying to spread as they should do. If we have regard to the instructions contained in the Blue Books, which lay down distinctly that a policy of revenge is not to be followed, it appears to me that in a case like this those principles have been, to a very great extent, departed from. And if we find that the crimes of which the natives are guilty are in some instances induced by the ill-treatment they (the natives) receive from our own countrymen, I think we shall have made out a very strong case why we should exercise much more stringent control over those to whom are committed such terrible powers over life and death than has hitherto been exercised. In order to illustrate the principles I have laid down I will quote from the Blue Book of this year. I find that in the appointment of John Douglas, Esq., to be Her Majesty's Special High Commissioner to protect the territory of New Guinea, he is required "to promote to the utmost of his power religion and civilisation amongst the natives of the Protectorate," and to prevent and restrain all violence and injustice that may be practised against the natives. I would ask the Committee whether we can find in

the narrative I have just read out to the House anything to show that these principles are practised—principles which, I suppose, the occupants of the Government Bench are most ready to preach? I say that even if we do find barbarous savages killing and eating their neighbours and taking the usual methods of revenge upon foreigners who come to interfere with their institutions, and to commit all manner of misdeeds amongst them, it is not the right way to promote religion and civilisation to go in a harum-scarum fashion to the islands bombarding the towns, burning the villages, and destroying the canoes and plantations. If we have got no farther in our notions of Christianity and civilisation than that, I think the less we talk about either our civilisation or our Christianity the more honest it will be for all of us. I find in the Blue Book a good deal of information of a similar kind as to the principle on which our officers are supposed to act in dealing with these natives. What I want to know is why we find such wholesale destruction and massacre by our own agents as are illustrated by the facts which I have placed before the House? I suppose the Government case is that whatever measures are taken they are justified by the necessity of preventing further outrages on the part of the natives. I say we must look a little further back and see what were the causes of the outrages. I will quote a passage I find on page 26 as an illustration of the argument I am endeavouring to place before the Committee. It is a Report of Sir Peter Scratchley.

THE CHAIRMAN: I must point out to the hon. Member that the question now before the Committee refers to the action of the Western Pacific Commission. New Guinea, to which the Blue Book from which he wishes to quote refers, cannot now be dealt with.

MR. CONYBEARE: I am quite aware that there is very often a difficulty in obtaining particulars of matters under particular Votes, and I shall be very sorry if I am introducing a question in its wrong place. I have been trying to discover whether there is any other Vote under which New Guinea can be brought.

THE CHAIRMAN: The question of New Guinea was brought under the notice of the Committee in reference

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to the former items which are now passed.

MR. CONYBEARE: Well, I am not referring solely to the question of New Guinea. I think, Sir, if you will permit me to read the extract you will see that it does not apply to New Guinea alone.

THE CHAIRMAN: If the hon. Member will address his remarks to the Committee in any order, we can get on; but he must address himself to some particular item of the Vote.

MR. CONYBEARE: That is precisely what I wish to do. The passage on page 26 says that the most important complaint made by natives against white men was a charge brought against two men named Jeyes and Currie; that they were in the habit of systematically violating the young women of a tribe, and—what appeared to be the chief cause of his complaint—of violating the married women also. I read this statement in order to illustrate my case. I say we ought to understand what is the kind of conduct that leads to these outrages, for which native villages are bombarded. Grave charges of the most abominable ill-treatment by Englishmen of native women have been brought under the notice of the authorities by the natives. It surely is not necessary for me to labour the point that the minds of the natives, even at a considerable distance, would be affected by such conduct, and they would be filled not only with distrust, but with hatred against our fellow-countrymen. I will not refer to the next paragraph, which relates to the New Guinea Coast. Of course, our Representatives have to face grave difficulties in maintaining the Empire of the Queen in foreign waters, and I should be very sorry indeed to press too hardly upon men who perhaps may err from an excess of zeal as well as a want of discretion, and who judge it necessary to do everything in their power to maintain the honour of their country; but, unfortunately in some cases, they go the wrong way about it. Some of the methods which are adopted seem to me to involve not only the safety of individuals, but even the safety of the Empire itself, as far as our dominion in these lands is concerned. I hope I may be permitted to quote a single line from another portion of the Report to illustrate from another point of view the grievances from which these natives

suffer. I find it stated here that all the recruits from New Guinea were understood to have been irregularly taken in the first instance. I find that a very striking method of taking revenge or punishing outrages is apparently resorted to by the missionaries themselves.

THE CHAIRMAN: I must point out to the hon. Member that he is taxing the tolerance of the Committee very much. He is continually adverting to a volume which does not affect this Vote in order to illustrate his points.

MR. CONYBEARE: I have no wish to argue with the Chair, but the cases I was referring to had reference to other parts of the Western Pacific besides New Guinea. I would ask Her Majesty's Government to give us some more information as to what they have to say in explanation of the conduct of H.M.S. *Royalist*, and also to say whether, if they think there is any justification for such action, they do not consider it would be more in keeping with the Christianity of this country to adopt some other method of punishing natives where it can be clearly shown that they deserve punishment? It appears to me that if there is any basis of truth whatever in the facts we have been able to place before the Committee, these officers have strangely departed from the principles which have been laid down for their guidance. It is monstrous, and a discreditable thing to this country, that such wholesale outrages should take place in the way of destruction, not only of property, but also of life, without any real attempt being made, in many cases, at all events, to ascertain whether the crimes committed by the natives were not the result of ill-treatment on our side, and whether a less barbarous method of punishment could not be adopted. If I could lay before the Committee other specimens of the literature of the Blue Books, I should be able to show that the Government have laid down certain principles on this point, and also what they have done to enforce them. I call upon the Government to say whether, if that is the policy which has been sanctioned by previous Governments, they are prepared to uphold such a condition of things as the Reports show to be existing at present; whether they will not at once take some proper steps to prevent any recurrence of such out-

rages as I feel sure every Englishman must in his heart abhor?

(9.42.) SIR G. CAMPBELL: As I was the first to quote from the Blue Book, I should like to explain how matters stand. Early in the present Session we pressed the Government for information on the subject, and we were told by the Under Secretary, "Oh, a Blue Book will be laid before you, which will give you the fullest information." When I attempted to quote from the Blue Book in regard to New Guinea, I was told the information refers to a period before New Guinea was annexed. Again, when we referred to the case of the *Royalist*, the Under Secretary said, "Oh, we know nothing about the *Royalist*." If we cannot quote Blue Books of recent date, it is entirely because the Government fail to give us information. They presented us a few weeks ago with a Blue Book; and when we quote anything from it they tell us it is ancient history, and has nothing to do with the question at all. What I quoted from the Blue Book went to show that these islands were under the jurisdiction of the Western Pacific Commission. As regards the general question, officer after officer has declared in the strongest terms that the war of races which is going on was, in the first instance, promoted by the whites. We are told that these bloodthirsty attacks are made in revenge for the crimes of whites. To me it is a regrettable state of things that we should be obliged to carry on this barbarous warfare. The Under Secretary said we have carried it on with all possible humanity, but what possible humanity can there be in this cruise of the *Royalist*? The Under Secretary seems to think that blame attaches to the naval officers. I have paid attention to this subject for many years. I have carefully studied the Blue Books, and I wish to acquit the naval officers of any bloodthirstiness in the matter. I find that very frequently, indeed, naval officers have expressed most clearly their disgust and dislike at having to execute a policy of revenge. My firm view is that the naval officers are not responsible for these severities; they do nothing but carry out the orders given to them, and very often they show they carry out their orders most unwillingly. It is those who give the orders who are responsible. The reason why these acts of

revenge are committed is that Her Majesty's Government have not the courage to check the demands of the traders in the Pacific. I am exceedingly sorry Her Majesty's Government have not seen their way to adopt a more humane policy, especially in the face of the declarations of their own officers that directly or indirectly they will not pursue a policy of indiscriminate vengeance.

(9.51.) DR. TANNER (Cork Co., Mid): I must protest against this Vote being passed without some proper explanation at the hands of Her Majesty's Government. We are aware of the great powers possessed by the Under Secretary for the Colonies, but this is not a purely saccharine matter. We had hoped the right hon. Gentleman would have dealt with the subject in a serious spirit, because there can be no doubt that, notably in the case of the Solomon Islands, there has been a great deal of kidnapping of natives. There has been more cruelty in this matter than is shown on the surface, and I would not have risen to take part in the Debate were it not that a friend of mine had an opportunity not very long since of seeing what was being done in the Solomon Islands, and he has informed me on the point. What is this Vote? It is the Western District High Commission Vote for Expenses under the Pacific Islanders Protection Act. If this Vote is to be passed under the Pacific Islanders Protection Act, how comes it that such things have been done as we have heard of during the course of the Debate? I maintain that the right hon. Gentleman has skirted the question, because he has not referred to the causes of the present state of things. The treatment of the natives first attracted the attention of the Queensland Legislature, and then it was brought under the notice of the House of Commons, and though I do not wish to deal unduly with the subject, I maintain that if the Committee wish to promote peace and to act in a Christian and humanitarian spirit, they will bring pressure to bear upon the Under Secretary, in order that right may be done and wrong punished. If the Debate results in putting an end to the policy of exasperation disclosed by the story of the cruise of the *Royalist* it will really have been productive of benefit and good. On the other hand, if the right hon. Gentleman refuses to answer the arguments which

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have been addressed to him, if he fails to give the reasons why the cruelties which have been disclosed have been perpetrated, I think the people of this country will see in this matter only another portion of their system of cruelty and coercion; and that when the day arrives that the Government have to give an account of their stewardship at the poll, they will meet with that condemnation and reprobation which their action in this matter, as in everything else, justly deserves.

(10.0.) The Committee divided:—Ayes 60; Noes 113.—(Div. List, No. 113.)

Original Question again proposed.

(10.10.) COLONEL NOLAN: I should like to know why £200 is to be paid because we are giving up the territory of the Orange River? Where is this territory?

(10.11.) DR. TANNER: And I should like some explanation as to the sum put down for travelling expenses.

\*BARON H. DE WORMS: The item with regard to the Orange River is simply payment for services rendered.

(10.12.) DR. TANNER: I regret that the right hon. Gentleman has not understood the purport of my question. The item I desired to bring under his notice was Sub-head 3, for travelling and other expenses, including stationery and printing. Under this head we are asked for a sum of £600, whereas last year we were only asked for £400. What makes it all the more remarkable is this: that all the other items are exactly the same this year as last. How comes it to pass, then, that, everything else being symmetrical, the whole thing is spoiled by this unsymmetrical item? It appears to be rather ridiculous. Of course, if the right hon. Gentleman is unable to answer this question, I am willing to defer the consideration of this subject.

\*(10.15.) BARON H. DE WORMS: There is a sum of money included in the Vote for the expenses of the Deputy Commissioner to the New Hebrides.

DR. TANNER: And because that Deputy Commissioner did not do what was expected of him the country is to be called upon to pay. I must say I do not think we have had a satisfactory explanation of this matter, and I appeal to hon. Members opposite to say that they are not satisfied.

(10.16.) MR. CONYBEARE: I think we are still in a fog in this matter. I understood the Under Secretary to state that this extra charge was incurred because a certain official had chosen to reside outside his district. But why, if he chooses to reside in the wrong place, should we have to pay the expense? He ought not to be allowed these travelling expenses. The repairing of a house has nothing to do with travelling expenses.

\*BARON H. DE WORMS: A temporary addition of £200 has been made to the item travelling expenses, in order to provide, amongst other things, for the necessary expenditure on the repairs to the house of the Deputy Commissioner at Tonga.

(10.18.) MR. CONYBEARE: He does not need to travel meanwhile. If the right hon. Gentleman cannot give a better explanation I shall have, on another occasion, to move to reduce his salary. The further we go the deeper we get in the mire. If the right hon. Gentleman intends to shuffle out of his responsibilities—and I do not say this in an offensive sense—if he declines to give us any explanation I will ask him upon which Department does the responsibility rest?

(10.19.) COLONEL NOLAN: I want to know about the Orange River Territory. Where is it? Has it anything to do with the Orange River State?

\*BARON H. DE WORMS: It was called the Orange River Territory before it became the Orange Free State.

(10.20.) COLONEL NOLAN: Then where is this territory? There are two places on the map. Is it the boundary of the Orange Free State, or is it this place towards the mouth of the Orange River which flows into the Atlantic, and which constitutes the boundary between us and the Germans?

\*(10.21.) BARON H. DE WORMS: Surely the hon. Gentleman knows where the Orange Free State is. The British sovereignty over the Orange River territory was proclaimed on the 3rd February, 1848, and revoked by an Order in Council in 1854. The only charges which now remain are charges due to those who served on that territory and to those to whom pensions are now payable.

COLONEL NOLAN: I quite understand. It is the Orange Free State.

(10.23.) MR. BAUMANN (Camberwell, Peckham): I wish to move to reduce the Vote under Sub-head R (Salaries, &c., Transvaal) by £100. I do so in order to urge upon the Government the inadequacy of the salary at present allowed to our Agent at Pretoria. Assuming that the Agent receives £700 a year, and £300 a year for office charges—and, by-the-bye, I may point out that the figures are, I presume by mistake, reversed in the Votes—I would point out that the aggregate expenses attaching to the office amount to no less than £700 a year, practically leaving only £300 for salary. Her Majesty's Agent at Pretoria has to pay £30 a month for rent and £200 a year to his clerk and interpreter, his travelling expenses are not less than £40 a year, and other necessary expenses amount to £100 a year. The Committee must bear in mind that our Agent at Pretoria is not merely a Consul, but an official of diplomatic rank, and I maintain that the salary ought to be £1,500 or £2,000 a year. Our Agent at Zanzibar receives over £2,000 a year, and that post is not half so important as the one at Pretoria, especially in the present important state of South African politics. There are a large number of Englishmen in the Transvaal, we have millions of capital invested in South Africa, and it is desirable above all things that at the present juncture we should have a really able, capable, and experienced Minister at Pretoria. It is ridiculous to suppose that such a man can be obtained for the small salary now given, and I understand, in fact, that the Government recently had some difficulty in filling the post. I repeat that our agency in Pretoria is the most important diplomatic post in South Africa at the present time, and I hope, for the reasons I have stated, that the Under Secretary for the Colonies will recommend the Treasury to appreciably augment the salary and allowances of Her Majesty's Agent.

\*(10.28.) BARON H. DE WORMS: I may point out that the salary of the office has been already increased from £400 to £700, and £200 more has been granted for office expenses. In those circumstances I do not think the Treasury would be disposed to grant a further increase.

SIR G. CAMPBELL: I wish to call the attention of the Secretary to the

Treasury to the constant misprints which occur in the Estimates. Surely they ought to be avoided.

(10.30.) MR. CONYBEARE: Before we go to another subject, I propose to say one word on this question. I have on more than one occasion been entertained in the Transvaal, and I can endorse what fell from the hon. Member opposite as to the cost of living in that country. The state of affairs there has arisen to a great extent from the protective policy inflicted upon the country by the Boer Government. I mention that to show that our Resident is in no way responsible for the high cost of living. What I particularly want information about is as to who is the new Agent who has been appointed. I understand that the Agent has recently returned to this country and is not going back to the Transvaal. I understand from the statement made by the right hon. Gentleman that the salary has already been increased, and that he does not propose any further increase. I entirely agree with the hon. Member opposite, in whose objection there is a great deal of force. Things are in a very desperate condition at the present moment in South Africa, and I think what you want is a man of position who is willing to take the office. There is another reason which was adduced by the hon. Member opposite. In the disturbance which took place at Johannesburg some little time ago an insult was offered to the President of the Transvaal Republic by some British subjects, who, I believe, are in prison at the present moment. No one can deplore more than I do that such an incident has occurred. We must all admit that we hold the most friendly relations with the Boer Government, and I am not introducing this matter for the purpose of making any difficulty. It only illustrates the delicacy of the situation at the present time, and the necessity there is of having able men to look after the affairs of Great Britain in Africa. I should like to know who is the new Agent, whether any British subjects are in prison, and any other general information with regard to South Africa which the right hon. Gentleman may have to give.

(10.35.) MR. W. F. LAWRENCE (Liverpool, Abercromby): Mr. Courtney, if in order, I would like to ask the

*Sir G. Campbell*

Under Secretary for the Colonies whether he can report to the House any improvement in the condition of the mining interests of the Transvaal. The mining interests, as is perfectly well known, are entirely British, but they are sorely handicapped by the taxation exacted by the Boer Government. Horned cattle are taxed at the rate of £2 per head; flour at the rate of 15s. per 100 lbs; pork and bacon, and suchlike, at the rate of 1s. per lb.; and coals at the rate of 15s. per cwt. All these items the House will see are necessities of life. They are enormously oppressive to the mining interest, and these are the items which are produced by Boers, who are almost entirely farmers. Then, again, the Import Duties on goods from over sea represent 33½ per cent. of the invoice price. In addition to that, the taxation for licensing mines amounts to £1 a month for mining an area of 125 feet by 400 feet. I hear that the Licence Duty is altogether preposterous, and beyond comparison with anything to be heard of in Australia or in America. Therefore, I should like to ask the Under Secretary for the Colonies whether there is any probability in the near future of the Boer Government meeting the defined wishes of the English population settled in the Transvaal, in order to ameliorate their condition. Further, can the right hon. Gentleman report any definite news as to a forward policy with regard to railways, which are equally important to the mining interest as matters of taxation.

\*(10.38.) SIR R. N. FOWLER (London): I wish to support the opinion of the hon. Member for Peckham with regard to the salary of our Representative at Pretoria. It is obvious that a gentleman in that position has most important diplomatic duties to discharge. Further, I have been in South Africa myself, and, in common with others who have been in that country, I know the high cost of provisions, and it certainly seems to me that the salary of our Representative is perfectly inadequate to enable anyone competently to discharge the duties of the position. I have no doubt the right hon. Gentleman perfectly agrees with the hon. Member for Peckham, but I suspect the difficulty lies with the Treasury. I hope the Government will deal with this matter in a liberal spirit.

(10.40.) **SIR JOSEPH BAILEY** (Hereford): I raise my voice in support of those who have already spoken in favour of increasing the salary of our Representative at the Transvaal. I do not think it is thoroughly understood that the cost of living in that part of the country is altogether different from what it is in England. In the Transvaal they pay as much for the commonest vegetable as we do here for forced strawberries sold out of season. Again, any person who undertakes the management of our affairs in the Transvaal is expected to entertain every English visitor of anything like station, because he is the Representative of England. He has expenses forced upon him which in another position he would not incur; and I think England ought to support her Representatives, whose difficulties are so great, in a liberal and becoming manner.

(10.42.) **DR. TANNER**: Are we to understand that the salaries of certain Colonial Representatives are to be raised in order that they may entertain their friends? The idea is ridiculous. I think Her Majesty's Government have done right in cutting down the salary, but still I want to know how it has been reduced from £700 to £200, for £500 is a very large sum. I should like to express my disapprobation of the way in which the figures are given. It is put, salary £200, expenses £700; making £1,000. That is very ridiculous, and these mistakes ought to be remedied. While you cut down the salary by £500, you immediately raise the allowance for rent and contingent expenses to £700. You cut down here, and raise there, as though you desired to obtain a sort of uniformity. I want to know why the reduction has been made in one instance and the increase in the other?

(10.43.) **THE SECRETARY TO THE TREASURY** (Mr. JACKSON, Leeds, N.): What has really occurred is this: There has been a slip in the type, and the error was not discovered when the Estimates were revised. I do not think too much blame should be put upon the printers, who have to get the Estimates printed within a very limited time. It is almost impossible to avoid mistakes; and though I am extremely sorry that this mistake should have occurred, still if, as the hon. Member for Kirkcaldy says, there is a great number, I have not been made aware of them. There has really been

no change in this expenditure either in one amount or the other.

**DR. TANNER**: These Estimates were circulated eight weeks ago. Surely there has been time to remedy these mistakes. I am not blaming the printers; I am blaming the Government.

**MR. JACKSON**: I might explain to the hon. Gentleman that the cost of printing the Estimates anew in order to correct some errors would be very great. I am not aware that there is a great number of errors, though the hon. Member for Kirkcaldy says there are many.

**SIR G. CAMPBELL**: Yes, there are.

**MR. JACKSON**: I am extremely sorry if that is the fact. It has not been brought to my knowledge, and I do not think the hon. Gentleman should say that there is a great number of mistakes.

**SIR G. CAMPBELL**: Yes, Sir; there are a great number of mistakes; in fact, the Estimates are full of printers' errors, and, although the Secretary to the Treasury has said the printers are not to blame, I think they are very much to blame, because the printers employed by this House get an enormous sum for the work they do, and ought to employ a sufficient staff to do the same duty as is done by every newspaper office in the country in setting up and printing documents that are urgently needed and must be brought out within a reasonable time.

**MR. CONYBEARE**: May I ask, Sir, as a point of order, where we are at the present moment?

**THE CHAIRMAN**: We are at present on Vote 3, Class V., Sub-head R; but no Amendment has yet been moved.

**MR. CONYBEARE**: If no Amendment is before the Committee, I shall have the pleasure of moving one, in order that I may be able to elicit some answer from the right hon. Gentleman the Under Secretary for the Colonies to the questions that have been put to him. I will, therefore, move the reduction of the Vote by £100.

Motion made, and Question proposed, "That Item R 1, £1,000, Salaries, &c., Transvaal, be reduced by £100."—(Mr. Conybeare.)

\***BARON H. DE WORMS**: I hope the hon. Gentleman will not persist in that Motion after I have answered, as I was



about to do, the questions to which he refers. The first question put to me was who is the gentleman holding the *ad interim* appointment of Resident of the Transvaal. He is Sir Jacobus Albertus De Wet, and belongs to a South African family, which is well-known and of high standing. He is a gentleman in every way well qualified for the post, and has already distinguished himself by his conduct of affairs in regard to the relations between Cape Colony and Pondoland after the death of the late chief of the latter territory. I was also asked whether there was any one at present detained in prison at Pretoria for having taken part in disturbances connected with an insult offered to the South African flag. I am informed that there is only one man so detained, and he has been committed for trial, which he is now awaiting. Then my hon. Friend the Member for the Abercromby Division of Liverpool has asked a question with regard to the mining interests of the Transvaal. I am afraid that that is a matter on which I am hardly able to enter into any detail, inasmuch as we have no control over the Transvaal Government, but I may say that I believe that British subjects who have acquired concessions from the Transvaal Government are treated in a fair spirit by the Government of the Transvaal, and I hope that spirit will continue to be evinced.

MR. CONYBEARE: I am much obliged to the right hon. Gentleman for the information he has given; but he has described the appointment of the Resident in the Transvaal as an *ad interim* appointment, whereas I should hope the Government will see their way to make it a permanent one. With regard to the other matter, the imprisonment of an Englishman for insulting the President of the Transvaal Republic, the complaint is that the man is kept in prison and not brought to trial, that is to say, he is being detained there without any attempt being made to bring him to trial. It is on that point I should have been glad to have heard some statement from the right hon. Gentleman.

\*MR. CHANNING (Northampton, E.): An hon. Member has put questions to the Under Secretary which, I think, should have drawn from him a fuller statement than he has made of the position of those British subjects who have

*Baron H. de Worms*

settled in the Transvaal. When asked to vote money to the British Agency in the Transvaal, I think we are entitled to know more about the position of our fellow-subjects there. This is about the only opportunity we have in the course of the year of raising such a question, and I think the Minister responsible for our policy in that part of the world ought not to treat in a cursory or cavalier manner such a question as that put by the hon. Member for Liverpool. I wish to repeat, the future of the British residents in the Transvaal is an urgent and important matter, inasmuch as it largely affects the future of Swaziland, and many other questions that may press upon us. I wish to ask the right hon. Gentleman whether our Representative in the Transvaal is instructed to adopt a policy or to make representations to the Transvaal Government which will lead to a strengthening of the position of the British residents there, and giving them greater power in deciding questions regarding British rights in connection with a future policy of that part of Africa. I think that is a question upon which the Committee will think we ought to have some further statement from the right hon. Gentleman.

\*BARON H. DE WORMS: If the hon. Member is alluding to the franchise being granted to British residents in the Transvaal, representations have been made to the Transvaal Government on the subject.

MR. CONYBEARE: I wish to call the right hon. Gentleman's attention to an item in this Vote of £3,074 for pensions to wounded volunteers and the widows of volunteers killed in the war of 1880-81, and for compensation for the abolition of offices, and I desire to ask whether sufficient care is taken to see that the persons to whom these pensions and compensations are being paid are still alive. Also, how many persons are receiving these allowances.

\*BARON H. DE WORMS: There are now five persons to whom these pensions are payable, seven persons who are in receipt of compensation as wounded volunteers and widows of persons killed in the war of 1880-81, and seven who are being compensated for abolition of office.

COLONEL NOLAN: I trust that the Government take the greatest precaution in seeing that sufficient proof is given

that the persons to whom these allowances are payable are still living. The most stringent precautions are taken in this respect in India.

MR. JACKSON: I think I can assure the Committee that this question has been most carefully examined within the last 18 months, and that none of these pensions or compensations are paid except on absolute proof that the persons to whom they are payable are still living.

Amendment, by leave, withdrawn.

MR. CONYBEARE: I shall be glad if the right hon. Gentleman would furnish some information with regard to the Delagoa Bay question.

SIR G. CAMPBELL: I rise now to move, as an Amendment on this Vote under Sub-head S, to reduce the amount by £500, part of the salary of the High Commissioner of South Africa. I see that we are asked to pay £1,000 for the personal expenses of the High Commissioner. I want to know what is the meaning of the allowance so paid to that officer. What I find is that these personal allowances go on from one High Commissioner to another, and what is called a personal allowance is merely an allowance given as part of the salary of the High Commissioner, in order to retain his services for the British Government. Now, I want to know what is the position of the High Commissioner; is he paid by the Cape Government, or is he paid by the Imperial Government—whose servant is he? This, I think, is a most important matter.

\*(11.3.) MR. GOSCHEN: The extra £1,000 a year is a personal allowance, given because the High Commissioner in a most public spirited manner gave up a most valuable appointment which he held in Australia.

(11.4.) SIR G. CAMPBELL: But who pays this money? Is it the Cape Government or the Imperial Government?

\*MR. GOSCHEN: The salary of the High Commissioner is paid by the British Government, and that of the Governor by the Cape Government.

(11.5.) SIR G. CAMPBELL: Well, I should much prefer the High Commissioner to be entirely in the pay of the British Government, as he holds in his hands the keys of our whole policy in South Africa. What has occurred there is really the outcome of the policy of our High Commissioner. I admit that

there is a great deal of sense in the view which Sir Hercules Robinson takes on these matters, but I think that Sir Hercules ought to have resigned his position rather than have expressed his views on this subject to the people at the Cape. Sir Hercules is, no doubt, a very able man, and one of the highest honour. But I have brought home from India some very strong ideas with regard to a public official having anything to do with regard to speculative affairs arising within his own jurisdiction. I hope there is no truth in the rumour that Sir Hercules Robinson has made large sums of money by speculations in his own territories, in which he was associated with Mr. Rhodes. I know we have been told that the affairs in which he was concerned represented very much the holding of shares in the London and North Western Railway Company. I hope that is so, but I confess that I feel that speculations in diamond syndicates are not quite of the same character. I had some experience of these things in Bengal, and if, for instance, I had had anything to do with the Assam Tea Company, or with the granting of additional territories to a great syndicate, I should not have felt very comfortable. At the same time I am bound to say I do not see any trace of personal influence in his conduct; he has expressed his views freely, fairly, and logically. He is, no doubt, quite honest in what he says. I quite admit that there is a good deal in the argument in favour of putting an end to the scramble among concessionaires in South Africa, by giving over the whole of South Africa to the one great company which is associated with the name of Mr. Rhodes; but, at the same time, I hold that it is a dangerous thing to grant charters to companies, giving them the control of an enormous trade in South Africa. Her Majesty's Government have promoted this South Africa Company, and have given it all the official assistance in their power. They have written official letters to Lobengula, and have sent out officers of Her Majesty's Horse Guards—the biggest men who could be found—to assist in this company promoting. The roving commission given to those companies, will, in all probability, involve us in war, and I am afraid that the ultimate burden will have to be borne by the British taxpayer. It is a repetition of

the old story "Heads I win, tails you lose." If there are any profits they will go to the company, if there is any loss the British taxpayer will have to pay it. This is the real Jingo policy. We are told that these companies cannot be expected to carry on their operations unless they have the full and active support of the British Government, and Mr. Stanley said, only the other night, that unless the British Government gave adequate support he should advise the African companies to give up their work. This raises a very serious question, as to the policy of our pushing further and further into the interior of Africa, and I cannot but recall the wise words of Lord Salisbury, in which he warned the country against the adoption of such a policy, and in which he pointed out the difficulty of sending arms into a country thousands of miles from the coast. I find from a Memorandum of the East Africa Company that that company has agreed to support the African Lakes Company by an annual grant. As to that, I wish to ask Her Majesty's Government whether the East Africa Company are to be allowed to go beyond the Zambesi and absorb the African Lakes Company, for that is what I suppose is meant. I saw in Saturday's *Times* an article by a German writer classing Lord Salisbury as an ally of the German Government.

THE CHAIRMAN: Order, order! The hon. Member is going outside the Vote, which refers to the salary of the High Commissioner.

SIR G. CAMPBELL: Well, with regard to these questions I will only say that I hope the Government will decide each point upon its merits, and will not allow their hand to be forced by the Jingo element in the country, whether they trot out the old story of the missionaries being in danger or not. My belief is that the jealousy that exists is not between the English and the Foreign missionaries, but is between the Protestant and the Catholic missionaries. Our missionaries are not jealous of the Germans, but they are jealous of the Portuguese. It has been said that great interest is taken in Scotland in these matters, as a number of the missionaries come from Scotland. But, as a Scotch Member, I venture to say there is a great deal of delusion about the fury which is said to have spread from one end of

Scotland to another on this subject. No doubt in Edinburgh and in Glasgow there is a fair and legitimate amount of interest; but it is a delusion to suppose that the missionaries altogether support the Trading Companies. I am glad to think that in the recent Assemblies of the Churches of Scotland not much attention was devoted to this matter. Indeed, Professor Lindsay was the only speaker who referred to the subject, and he, no doubt, uttered some very brave words—

THE CHAIRMAN: Order, order! The hon. Gentleman has again gone outside the range of this Vote.

(11.30.) SIR G. CAMPBELL: I should like to allude, on this question of South Africa—and in this I am not trespassing beyond the fair limits of the question before the Committee—to the Liberal wire-puller Mr. Schnadhorst. I have alluded on previous occasions to the way in which Jingoism has developed in the Liberal ranks; but I now find that the Liberal wire-puller himself has come back from South Africa a very pronounced Jingo indeed. The colonists, as a rule, are not people who are concerned for the British Treasury, and can afford to be Jingo, seeing that the British Treasury has to pay the piper; and at the Cape Mr. Schnadhorst has been associating with these colonists—with, for instance, the gentlemen who contributed some thousands of pounds to the Irish Parliamentary Fund. I am not one of those who pin my faith altogether to the Party wire-puller. I, therefore, do not attach much importance to Mr. Schnadhorst's extreme advocacy of the interests of the South African Company. That gentleman seems to be more for the Chartered Company than the Chartered Company itself; and when he says we should give Home Rule to these people in South Africa as we should give it to Ireland, he should remember that what he asks would be like giving Home Rule not to Ireland, but to the narrowest section of Orangemen in that country. I must say I hope that Lord Salisbury will not give way to pressure, but will hold the balance evenly, remembering that it is the bounden duty of the British Government, in any arrangements that may be made, to have regard primarily to the interests of the natives. I beg to move the reduction of the Vote by £500.

*Sir. G. Campbell*

Motion made, and Question proposed,  
 "That Item 81, £1,620, Cape of Good Hope, High Commissioner, Salaries, be reduced by £500, part of the Salary of the High Commissioner, South Africa."—(*Sir George Campbell.*)

(11.34.) MR. BAUMANN: I wish to make an appeal to Her Majesty's Government. This Vote raises important questions with regard to Swaziland and Bechuanaland, and other important matters in relation to the South African Company which will require considerable time for their discussion, and under these circumstances I would ask whether Her Majesty's Government will not assent to now reporting Progress.

\*(11.35.) BARON H. DE WORMS: Her Majesty's Government cannot possibly consent to this. This is the second day of the discussion, and we have now had seven and a half hours' discussion on it.

(11.35.) MR. W. A. M'ARTHUR: I do not think that the right hon. Gentleman in charge of the Vote attaches sufficient importance to the questions which it involves. I know it has been the custom in this House to relegate colonial subjects to the back-ground. We have had no adequate opportunity of discussing them since 1886. Last Session the leader of the House gave us a promise, in consideration of our refraining from pressing on the subject at that time, that this Session we should have full opportunity for debate; and it therefore does seem to me extraordinary that the Under Secretary for the Colonies should say that we should go on with the discussion and pass the Vote at this hour for the reason that we have discussed it two days. I would draw his attention to the fact that while 100 nights are not deemed too much to devote to Irish affairs, two nights are deemed enough to devote to the affairs of all our colonies—affairs so closely touching the interests of our fellow-countrymen in every part of the world. I trust that Englishmen in all our colonial possessions will appreciate the manner in which the Government treat these subjects. So far as I am concerned, deeply interested as I am in colonial subjects, no Government can charge me with unduly pressing them on the attention of the House. I withdrew from the discussion last year in order to enable the House to rise at a reasonable time, relying on the promise of the leader of the House that we should have

ample opportunity for debate this Session, and I say that if this Vote is taken now that promise will have been distinctly violated.

\*(11.40.) SIR R. N. FOWLER: I appeal to hon. Gentlemen who were in the 1880 Parliament whether the present Government have not done more than their predecessors to bring forward colonial questions early in the Session, and to afford opportunities for their discussion.

(11.41.) MR. W. A. M'ARTHUR: I object to a comparison between the present and previous Governments. When I am discussing colonial questions I do not care a straw what Government is in power; but I would point out that this Parliament has sat four years, and that we have only discussed colonial matters fully this Session.

\*(11.42.) MR. GOSCHEN: The Government have endeavoured to give effect to their pledge by bringing forward this Colonial Vote early this year, and I may remind the Committee that this is the second night on which this one Vote has been discussed. The Government, persuaded of the fact that most important questions are involved, have not tried to hurry hon. Members; but I regret the time which has been spent upon some minor details connected with the Vote. I will not, however, say more than that if a due sense of proportion had been observed by hon. Members in their speeches we should have arrived earlier at the questions which remain to be debated. I would suggest that hon. Members should now allow the Vote to be taken, and I will undertake that the Report of this Vote shall be put down for a comparatively early hour, so that the part of the Vote which still remains undebated may be fully discussed. With regard to Swaziland, I may mention that negotiations are still pending with the Transvaal Republic. They are of a delicate and important character, and are being conducted with very good feeling on both sides; but the Government can scarcely approach the discussion with a free hand in the circumstances, although they have no desire to unduly cut short any expression of opinions which hon. Members may wish to give utterance to. I trust that the proposal I now make will be accepted as a fair compromise.

(11.46.) MR. BRYCE (Aberdeen, S.): While appreciating what the right hon. Gentleman has said as to the conduct of the Government this evening, I must say I do not think that those Members who are interested in colonial questions can accept the proposal just made. This Vote raises most important questions, which we have not had an opportunity of discussing this Session. They were scarcely touched on last Session, and it must be remembered that private Members are now deprived of their right to raise questions by Motion on Tuesdays and Fridays, and that it is only on Votes of this kind that they can express their minds. We desire to have an opportunity of raising important questions concerning Swaziland, Bechuanaland, and the South Africa Company. From experience we know that Government promises of Debates on Report are not satisfactory, and, however reluctantly, I must ask the Chancellor of the Exchequer not to press the Vote further this evening.

\*(11.48.) MR. GOSCHEN: I must admit that it would be difficult to press the Vote much further this evening, and that I do not think I should be justified in suggesting the Closure, even if the Chairman should be disposed to assent to it. If, however, my suggestion is accepted, the Government will put down the Report for half-past 10 o'clock, and as the discussion need not then be stopped at midnight there will be time to have a real and substantial Debate. That, I think, is a very reasonable suggestion. The Government have shown their readiness to give the House an opportunity of discussing these questions.

Motion made, and Question proposed, "That the Chairman do report Progress and ask leave to sit again."—(*The Chancellor of the Exchequer.*)

(11.50.) MR. H. H. FOWLER: I am sure the House appreciates the very conciliatory manner in which the Chancellor of the Exchequer has dealt with the case. I may say, however, that my hon. Friend (Mr. Bryce) has been present during the greater part of the discussion. I should like to point out that the hon. Member for Kirkcaldy (Sir G. Campbell) made a very serious impeachment of the Government respecting the South Africa Company. When the hon. Member sat down the right hon. Gentleman the

Under Secretary did not rise to reply, and it was from the Government side of the House that the suggestion came that business should be suspended. I myself saw no reason why the time remaining up to midnight should not be occupied; and I think the Under Secretary would have been wise if he had availed himself of the opportunity of replying to the charges which had been made against the Government. The Report stage does not give that freedom of discussion which is desired in a matter of this importance. I quite acknowledge that all sides of the House should help the Government where they legitimately can with regard to business; and I think the Chancellor of the Exchequer will admit that at all events during three hours of this Debate it was the other side of the House that was responsible for the difficulties that arose. I think we must now urge the Chancellor of the Exchequer to consent to report Progress.

(11.54.) MR. A. O'CONNOR (Donegal, E.): The attitude taken up by the Government amounts to this, that under present arrangements they are not able to furnish the House with full and adequate opportunity of discussing the subject-matter of the Estimates in Committee of Supply, and it is necessary that that which ought to be taken in Committee shall be taken on Report. I submit that this is an entire departure from the intention and scope of Committee of Supply. It is intended that all questions arising on the Estimates should be discussed fully, and, if necessary, in great detail, under circumstances which admit of conveniences of reply and rejoinder, such as are not open to us when the Speaker is in the Chair. It is perfectly true that two Sittings have been consumed in Committee of Supply in discussing this Vote.

SIR G. CAMPBELL: Oh, no.

MR. A. O'CONNOR, Well, I am not disposed to blame the Government for even an appearance of impatience in reference to the Vote. They have not hurried it at all, and have acted with perfect fairness. But the fact is that the Vote covers nearly the whole of the globe, and it is therefore not to be wondered at that it should give rise to much debate. I would submit to the Government and the Committee that the real source of the difficulty is to be found in the undue extension of scope of these Votes—an extension which is now being

carried further by the consolidation of a number of Votes. The difficulty which has attended the discussion of this Vote will be experienced in the discussion of a large number of Votes, as at present consolidated; and I would invite the attention of the Government to the present situation, in order that they may reconsider the plan they have apparently adopted in making the Votes so large that it is almost impossible to cover the whole of the ground enclosed by them.

(11.58.) Question put, and agreed to.

Committee to sit again to-morrow.

**CUSTOMS CONSOLIDATION ACT (1876)  
AMENDMENT BILL.—(No. 247.)**

Bill considered in Committee.

(In the Committee.)

Committee report Progress; to sit again to-morrow.

**PUBLIC HEALTH ACTS AMENDMENT  
(RE-COMMITTED) BILL.—(No. 290.)**

Bill considered in Committee.

(In the Committee.)

Clause 1.

Motion made, and Question proposed,  
"That Clause 1 stand part of the Bill."

\*(12.11.) MR. SEXTON (Belfast, W.): I believe that this Bill does not extend to Ireland. You give us so many bad Bills in Ireland that when you have a good one I think we ought not to be excluded from it. It is only on the undertaking that Ireland will be included in this measure that it is at all likely to pass with general assent.

\*(12.12.) MR. F. S. POWELL (Wigan): So far as I am personally concerned, I have no objection whatever to extend the Bill to Ireland.

Question put, and agreed to.

Clause 2.

MR. SEXTON: I beg to move, after the word "Wales," to insert the words "and Ireland."

\*(12.13.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I see no reason at all why this Bill should not be extended to Ireland; but it is perfectly plain that a carefully-prepared clause will be necessary for the purpose. The Bill is framed upon the model of the English Public Health Act, which is different from that of Ireland. If I find the measure can

be extended to Ireland I will bring up a clause later.

\*MR. F. S. POWELL: Under these circumstances I think the best plan will be to report Progress, and put the Bill down for Monday.

MR. H. H. FOWLER: Will the Attorney General for Ireland prepare his Amendment before the House goes into Committee again?

\*(12.14.) MR. MADDEN: Yes, Sir. I do not at this moment pledge myself to the statement that this Bill can be conveniently extended to Ireland; but, if so, I will put down my Amendment.

\*MR. H. H. FOWLER: This is a Bill which has been most carefully considered by a Select Committee. It is an entirely permissive Bill, and I hope the House may be able to press it during the present Session. There was a desire on the part of the Select Committee to extend the operation of the measure to Ireland, but it was feared there might be some objection on the part of the Irish Representatives to such extension. I hope the Attorney General for Ireland will see no difficulty in the proposed extension.

\*MR. MADDEN: I shall raise no difficulty.

MR. SEXTON: I hold similar opinions with the right hon. Gentleman the Member for Wolverhampton, and I only wish to say that I do not gather from the remarks of the Attorney General that there is any objection in point of substance; that it is merely a question of drafting.

\*CAPTAIN VERNEY (Bucks, N.): I have Amendments down which I hope will not be ruled out of order in consequence of the proposed Amendment coming a few words before them.

Committee report Progress; to sit again upon Monday next.

**ANGLESEY ASSIZES AND QUARTER  
SESSIONS BILL.—(No. 248.)**

Bill read a second time, and committed for Thursday.

**CHURCH BUILDING ACTS (COMPULSORY POWERS REPEAL) BILL.—  
(No. 164.)**

SECOND READING.

Order for Second Reading read.

\*MR. F. S. POWELL: An arrangement has been made, and I have now the pleasure to move that the Order be discharged and Bill withdrawn.

Order for the Second Reading discharged, and the Bill withdrawn.

**FISHERIES REGULATION (SCOTLAND) BILL.—(No. 53.)**

**SECOND READING.**

Order for Second Reading read.

**MR. MARJORIBANKS** (Berwickshire): I hope the Lord Advocate will not consider me importunate in regard to this Bill. If he objects to refer the Bill to a Select Committee I would like him to give me some assurance as to the course the Government propose to take in regard to the Bill they intend to introduce. This is a Scotch subject, one on which I do not think there need be any Party feeling, and one on which I think the Government would do well to consider the desirability of satisfying the justifiable wishes of the Scotch fishermen.

**THE LORD ADVOCATE** (Mr. J. P. B. ROBERTSON, Bute): I by no means think the right hon. Gentleman importunate, and I trust we all recognise the valuable services he rendered upon the recent Committee. At the same time, the Bill he has expressed some anxiety about is not in a position to be read a first time, and I hope he will still further exercise some reserve. It would be impossible to assent to the Second Reading of his Bill. I have heard objections taken in various quarters of the House.

Second Reading deferred till Monday next.

**MOTION.**

**EAST INDIA (CIVIL SERVANTS).**

**THE UNDER SECRETARY OF STATE FOR INDIA** (Sir J. GORST, Chatham): I beg to move—

"That a Select Committee be appointed to consider and report upon the alleged grievances of the Uncovenanted Civil Servants of India, arising from the depreciation of the rupee and their leave and pension rules:

That Mr. King, Mr. Howorth, Sir Stafford Northcote, Mr. Bristowe, Viscount Baring, Sir William Plowden, Mr. Barbour, Mr. Alfred Pease, Mr. Buchanan, Mr. Mac Neill, and Sir John Gorst be Members of the Committee:

That the Committee have power to send for persons, Papers, and Records:

That Five be the quorum."

**DR. TANNER:** I object.

**SIR J. GORST:** I hope the hon. Gentleman will not persevere with his objection.

**SIR G. CAMPBELL:** I should be glad if the Resolution were agreed to. The Under Secretary of State has accepted a technical Amendment with regard to the description of the value of gold and silver. I thought it my duty to intervene between the taxpayers of India and the tribunal in this country, but I was appealed to in pathetic terms by gentlemen who have served under me in my youth and my mature age, and I was obliged to give in. I hope there will be a careful and full inquiry. There is a question which I have put down on the Paper for to-morrow, and which I hope the right hon. Gentleman (Sir J. Gorst) will consider before action is taken. I am told that, notwithstanding the presence in this country of a vast number of persons who are interested in the question, it is proposed to send home from India at full Indian salary a large number of gentlemen who wish to give evidence before the Committee. I hope that full consideration will take place before any such action is followed. As regards the constitution of the Committee, this is a judicial matter, and I think the Committee should be constituted on a purely judicial basis. I believe that at least one gentleman who has expressed the very strongest opinions on the subject has been nominated to serve on the Committee, and I do not think he is in a position to take an unprejudiced view of the question. I shall object to his name, and I hope that, at all events, the settlement of the names will be deferred till to-morrow.

**MR. A. O'CONNOR:** I understand this is really to benefit a number of gentlemen in India who find the bargain they made has not turned out for them as satisfactorily as at first they expected. If it had turned out better they would have said nothing. [*Cries of "Oh, oh!"*] They now propose to saddle the unfortunate taxpayers of India with a further charge, in consequence of the depreciation of silver as compared with gold. I shall object.

Motion deferred till to-morrow.

**RULES PUBLICATION BILL.—(No. 299.)**

Bill read a second time, and committed for Monday, 16th June.

House adjourned at half after  
Twelve o'clock.

## HOUSE OF COMMONS,

*Tuesday, 3rd June, 1890.*

## QUESTIONS.

## GWEEDORE.

SIR E. WATKIN (Hythe): I beg to ask the Secretary to the Treasury whether, since the recommendations of the Allport Commission in favour of harbour works, fishing accommodation, and connecting railways for Gweedore, another Report of a somewhat different character has been made by the Board of Works; and if he will state what the nature of any such Report is, and lay the details upon the Table?

THE SECRETARY TO THE TREASURY (MR. JACKSON, Leeds, N.): I am not aware that the Board of Works has made any Report in reference to harbour works and fishing accommodation at Gweedore. The hon. Baronet will be aware that there has, this year, been an inquiry into certain proposed lines of railways, but I am not aware that anything has yet been decided.

SIR E. WATKIN: May I ask whether a Report of the Inquiry will be communicated to the House?

MR. JACKSON: No, Sir; that is not intended.

## CIVIL SERVANTS IN INDIA.

SIR G. CAMPBELL (Kirkcaldy, &c.): I beg to ask the Under Secretary of State for India if it is true, as stated in the Indian newspapers, that, notwithstanding the presence in this country of so many of the claimants under the Indian Civil Service Rules, it is proposed to allow a number of the principal European Civil servants now in India to come home "on duty" at the public expense to give evidence before the proposed Committee, or to allow them to draw full Indian allowances beyond those to which they may be entitled under the ordinary leave rules, or in any other form to place a burden on the Indian taxpayer, to enable them to press the claims of their various Services in this country?

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THE UNDER SECRETARY OF STATE FOR INDIA (SIR J. GORST, Chatham): No, Sir; there is no foundation whatever for the statement contained in the question of the hon. Member. The Committee, if appointed, would itself determine what witnesses are necessary. The Secretary of State would, of course, give every reasonable facility for the attendance of such witnesses as the Committee might desire to examine.

## GERMANS IN AFRICA.

DR. CAMERON (Glasgow, College): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to the following passage in a speech made by Mr. Stanley at the dinner to which he was entertained by the London Chamber of Commerce on the 21st of May—

"The Germans had recently captured 10,000 bullocks from the Natives in British territory, and there was no one to say, Boh! (Loud cheers.) He could speak very forcibly, but he would restrain himself";

whether it is true that the Germans were allowed to capture 10,000 bullocks from natives in British territory without remonstrance; and whether the British Government have surrendered any territory to Germany; and, if so, what territory? I may add that a portion of the quotation from Mr. Stanley has been omitted, in which he said that the British Government have permitted the German Government to extend their influence beyond the line originally agreed upon.

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (SIR J. FERGUSON, Manchester, N.E.): In answer to paragraphs 1 and 2 we have no information to that effect. I was about to answer to the third paragraph in the negative; but, upon the explanation now given, I will add that no arrangement has been come to in regard to the respective spheres of influence.

## SION COLLEGE.

MR. PICTON (Leicester): I beg to ask the Secretary to the Treasury whether the annual compensation awarded by 6 and 7 William IV., c. 110, s. 3, to Sion College, in lieu of the privilege then abrogated of receiving a copy of every printed book, is still paid? if so, what is the amount, and where does it appear in official accounts; and



whether any Report is, as required by the above-cited Statute, sent to the Treasury of the use made of the annual grant; and, if so, are such Reports for the last ten years accessible to Members of this House?

**MR. JACKSON:** The amount of the annual grant awarded by 6 and 7 William IV., c. 110, to Sion College is £363 15s. 2d., and will be found recorded in the Finance Accounts under the heading "Compensation under the Copyright Act," p. 62. In claiming payment in each year detailed information is given, as required by Section 3 of the Act, of the applications of the money last issued; and on this the Treasury directs the amount for the year to be issued. The annual statements are retained in the Treasury, and have no general interest.

**MR. PICTON:** Are the Reports accessible to Members of this House?

**MR. JACKSON:** The Reports are obtainable at the Treasury, but they are not presented to Parliament. I shall be happy to let the hon. Member see them.

**\*MR. BRADLAUGH** (Northampton): Is this one of the permanent payments as to which the Chancellor of the Exchequer has been making inquiries this year, with a view to their determination?

**MR. JACKSON:** Yes, Sir; I believe this is included in those payments.

#### OVERCROWDING OF TRAINS.

**MR. HOWARD** (Middlesex, Tottenham): I beg to ask the President of the Board of Trade whether his attention has been called to the excessive and dangerous overcrowding of the morning and evening suburban trains running on the Great Eastern Railway to and from the Liverpool Street Station, and to the insufficient and inconvenient exits provided for the passengers at many of the local stations; whether he will obtain a Return of the average excess number of 1st, 2nd, and 3rd class passengers respectively conveyed by such trains; and whether he can take steps in future to remedy the inconvenience and danger complained of?

**\*THE PRESIDENT OF THE BOARD OF TRADE** (Sir M. HICKS BEACH, Bristol, W.): No, Sir; my attention has not been specially directed to overcrowding in the morning and evening trains on the Great

Eastern Railway, and the General Railway Acts do not give me any power of dealing with it. I have, however, communicated with the Company, from whom I have received a letter, of which, if he wishes it, I shall be happy to send the hon. Member a copy. In this letter the Company say that they have spent, or are spending, sums amounting to over £1,750,000 in the accommodation of their suburban traffic, and add that, if the hon. Member will specify the local stations of which he considers the exits inconvenient, they will communicate with him.

#### STAINLAND-WITH-OLD-LINDLEY LOCAL BOARD.

**MR. WAYMAN** (York, W.R., Elland): I beg to ask the President of the Local Government Board, having regard to the fact that a Local Government inquiry was held in February, 1889, as to the Stainland-with-Old-Lindley Local Board's application for power to borrow £10,000, for the purpose of constructing water works at Coldacre, in Stainland, and that the Local Government Board, 12 months later, sanctioned the said scheme, subject to certain conditions, which have been complied with, whether repeated applications for the documents necessary for the carrying out of the scheme have been made by the clerk to the Local Board without avail; and, if so, why it is that the Local Government Board continue to withhold from the Stainland-with-Old-Lindley Local Board the necessary authority to borrow the said sum of £10,000, thus depriving the inhabitants of the township of the water which has become to them an absolute necessity?

**\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD** (Mr. RITCHIE, Tower Hamlets, St. George's): The Local Government Board caused an inquiry to be held in February, 1889, as to an application of the Stainland Local Board for sanction to borrow for the purpose of a scheme of water supply. As the Local Board are aware, objections have been strongly urged to their proposals, and questions have been raised as to their right to obtain water from the sources proposed by them, and the question has been one of much difficulty. The Local Board, however, after obtaining the opinion of counsel, informed the Local Government Board that they were

*Mr. Picton*

prepared to undertake all the responsibility of proceeding with the scheme, and the Board then expressed their willingness to sanction the loan upon certain conditions, one of the conditions being certain proofs with regard to the consent of an authority within whose limits of water supply part of the Local Board district is situate. The Board are now awaiting a reply to a communication which they have addressed to the Local Board on the subject of such consent. I have no reason to doubt that the matter will be settled speedily.

#### ENGINEER STUDENTS.

**MR. BRADLAUGH:** I beg to ask the First Lord of the Admiralty whether he is now aware of any facts as to engineer students tending to show that an insufficient number of candidates have been found qualified for the vacancies advertised this year by the Admiralty; whether he can state the engineer officer vacancies advertised and number of candidates competing; and how many found qualified in 1889 and 1890 respectively?

**THE FIRST LORD OF THE ADMIRALTY** (Lord G. HAMILTON, Middlesex, Ealing): Ninety-three candidates presented themselves for 40 vacancies at the recent examination for engineer studentships, of whom a sufficient number were found to be qualified for appointment to the Service. No specific number of vacancies for engineer officers was advertised, but the number laid down in the Regulations is about 10. For these vacancies there are five candidates. The examination for these appointments, which is the first that has taken place, is still proceeding. The number of candidates for appointment as engineer students who competed in 1889 was 177, of which number 85 qualified for appointment. There were 32 entries.

#### THE HYDE PARK DEMONSTRATION.

**MR. CUNINGHAME GRAHAM** (Lanark, N.W.), for **MR. ATHERLEY-JONES** (Durham, N.W.): I beg to ask the Secretary of State for the Home Department under what authority, statutory or otherwise, the Commissioner of Police in the Metropolis acts in forbidding the passage of public processions through the

streets of the Metropolis; whether, in so doing, he is acting by the express instructions of the Home Secretary, or on his own responsibility; and whether the opinion of the Law Officers of the Crown has been taken as to the legal power of the police to prohibit the passage of organised and peaceful processions?

The following questions on the same subject were also on the Paper:—

**MR. PICKERSGILL** (Bethnal Green, S.W.): To ask the Secretary of State for the Home Department whether it is with his sanction that the Chief Commissioner has informed the Demonstration Committee that "the Metropolitan Police will not afford protection to processions to the Embankment;" and whether he is aware that the Committee have received from the City Police the promise of such protection to processions while passing through the City?

**MR. CREMER** (Shoreditch, Haggerston): To ask the Secretary of State for the Home Department if he can explain why the Chief Commissioner of the Metropolitan Police has prohibited the promoters of the demonstration on Saturday next from taking the same route which was followed in 1888 by a similar gathering; and whether the demonstration in 1888 was of the most orderly and peaceable character?

**MR. J. ROWLANDS** (Finsbury, E.): To ask the right hon. Gentleman whether the action taken by the Chief Commissioner of the Metropolitan Police with regard to the Hyde Park demonstration on Saturday next, when the Chief Commissioner declines to allow the procession to take the route which was taken in 1888, has his sanction and authority; and whether he endorses the statement of the Commissioner in his letter to the Executive Committee organising the demonstration that—

"It is also clearly to be understood that the police will not protect or keep open a route for processions to the Embankment?"

**MR. HOWELL** (Bethnal Green, N.E.): To ask the right hon. Gentleman whether the letter of the Chief Commissioner of Police, altering the route of the proposed procession to Hyde Park on Saturday next, was written with his knowledge and authority; and whether representations have reached him that such interference will be provocative of confusion,

by divergence of routes and by dividing the responsibility and control of those who have undertaken the duty of organising the procession?

MR. T. H. BOLTON (St. Pancras, N.): To ask why the Temperance Associations are to be prevented from assembling on the Thames Embankment on Saturday next, and marching from thence to Hyde Park in one organised procession, to hold their proposed demonstration in the Park on that day?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I propose to answer the various questions which appear upon the Paper at the same time. I am advised by the Law Officers that the Commissioner of Police is authorised by Statute to regulate the route to be observed by public processions, with a view to prevent obstruction in the streets. He has my sanction for so doing; and I consulted the Solicitor General before giving the Commissioner specific instructions with reference to the proposed procession of Saturday next. These organised processions, now so frequent, largely interfere with the convenience and rights of the public. If the processionists were left to their strict legal rights they would have to take their chance of being interrupted and divided, like all other traffic, and would soon cease to be a procession at all. When the police undertake to keep open a route for a procession they can only do so by hampering the right of free passage of other persons. It is wholly unreasonable to expect that this privilege should be conceded to processionists simultaneously taking a number of different routes in several directions across the Metropolis. The Temperance Associations will not be prevented from assembling on the Embankment on Saturday; their route thither has been regulated as public safety required, and they must make their way thither subject to the conditions under which all persons have to use crowded streets, and without a monopoly of the thoroughfares. The procession of 1888 was orderly and peaceable; but it only got to its destination by practically taking possession of the streets and stopping public traffic. The object of the Commissioner in the regulations he has made has been to minimise the recurrence of similar public

*Mr. Howell*

inconvenience. I have no information as to the course taken by the City Police, and no representations have reached me to the effect suggested by the hon. Member for North-East Bethnal Green.

\*MR. C. GRAHAM: The right hon. Gentleman in his reply mentioned Temperance Associations. Does he draw any distinction between those Associations and other bodies, and does he not think that the orderly conduct of the Eight Hours' procession on the 4th of May may be taken to afford some indication of the orderly character of the proposed demonstration on Saturday next?

SIR ROPER LETHBRIDGE (Kensington, N.): I should like to ask whether it is not the fact that the orders of the Chief Commissioner contemplate the fullest protection to all these processions which is compatible with protection to the trade of London from serious dislocation, and protection to the peaceable citizens of London from intolerable annoyance and inconvenience?

MR. MATTHEWS: In reply to the question of the hon. Member for Lanark (Mr. C. Graham) I have only to say that I mentioned the Temperance Associations because they were referred to in the question of the hon. Member for North St. Pancras (Mr. T. H. Bolton). Of course, there is no difference between one body of processionists and another. With regard to the question of the hon. Member for North Kensington (Sir Roper Lethbridge), I entirely concur with him. It seems to me that the orders of the Chief Commissioner of Police do contemplate such protection to the proposed processions as is compatible with protection to the rights of the citizens of London.

\*MR. C. GRAHAM: May I ask the right hon. Gentleman whether, as he has gone out of his way to answer the question put by the hon. Member behind him, there is any chance of dislocating the trade of London either on a Sunday or on a Saturday afternoon?

MR. MATTHEWS: Judging from my experience, Sunday in London is a quieter day than Saturday. But there are many thoroughfares in which there is an enormous traffic on Saturday, and, sometimes, in order to enable a large

procession to pass, the traffic has been stopped for three-quarters of an hour, or more, and enormous inconvenience has resulted.

**MR. J. MORLEY** (Newcastle-upon-Tyne): I should like to understand from the Home Secretary what it was in the experience of 1888 that prompted the Chief Commissioner of Police to make the Order?

**MR. MATTHEWS**: It was the extreme inconvenience suffered by the public through such a thoroughfare as Oxford Street being monopolised for several hours by the passing of a procession.

**SIR W. LAWSON** (Cumberland, Cockermouth): Were any statements made at the time with respect to the inconvenience that had been suffered?

**MR. MATTHEWS**: Information was received on the subject from various quarters.

**MR. J. MORLEY**: If I am not mistaken there were two processions in 1888, and I should like to know whether the same representations were made in each case as to the inconvenience which the processions had occasioned?

**MR. MATTHEWS**: I cannot give an answer in reference to these details with accuracy without notice, but I will make inquiries with regard to them.

**\*MR. T. H. BOLTON**: Inasmuch as the right hon. Gentleman has acknowledged the right of the temperance and other associations to assemble on the Embankment on Saturday, will he afford facilities to the members of those associations to proceed to the place of assembly?

**MR. MATTHEWS**: I am afraid that I can offer to the members of these associations no greater facilities than the general public are entitled to.

**MR. BLANE** (Armagh, S.): Will the Government not give to Englishmen in their own capital the same facilities as—

**\*MR. SPEAKER**: Order, order!

**MR. J. ROWLANDS**: Is it not the fact that the executive organising the demonstration submitted an alternative route which would have avoided Oxford Street and Regent Street?

**\*MR. T. H. BOLTON**: Is it not the duty of the police to provide for any increased traffic which may be expected to occur in any part of the Metropolis?

**MR. MATTHEWS**: I do not conceive that it is any part of the duties of the police to prevent persons from using thoroughfares in the Metropolis in order to enable other persons to go in procession. Of course, people going to the Embankment with banners or otherwise will receive the same protection from the police as other persons.

**\*MR. T. H. BOLTON**: Then am I to understand that if a body of 50, 60, or 100 people march towards the Embankment with banners they will not be interfered with?

**\*MR. SPEAKER**: Order, order! The hon. Member is now arguing the point.

**MR. BLANE**: Will the Government give the same facilities on Saturday as were afforded on the occasion of the visit of the Shah of Persia?

**\*MR. SPEAKER**: Order, order! The question is quite out of order.

#### THE METROPOLITAN POLICE FORCE.

**MR. T. H. BOLTON**: I beg to ask the Secretary of State for the Home Department whether there is a rule in the Metropolitan Police Force that all complaints shall be made individually; and, if so, whether he will alter the rule so as to permit the police collectively to represent their grievances in the form of Petitions and Memorials?

**MR. MATTHEWS**: Yes, Sir, there is such a rule, and I concur with the Commissioner in thinking that there would be grave objections to any alteration of the rule in the manner suggested.

#### YEOMANRY SWORDS.

**MR. HANBURY** (Preston): I beg to ask the Financial Secretary to the War Office when and by whom the swords of the East Kent Yeomanry were last tested; whether during the mounted sports recently held at Dover one of the troopers struck at a lemon and his sword thereupon broke in half; and what is the pattern and date of manufacture of the swords in the hands of that regiment?

**THE FINANCIAL SECRETARY TO THE WAR OFFICE** (Mr. BRODRICK, Surrey, Guildford): The occurrence to which the hon. Gentleman alludes has been brought to the notice of the Secretary of State, and he has already called for a Report. As soon as the Report reaches the War Office I shall be glad to reply to the hon. Gentleman's question.

Mr. HANBURY: The right hon. Gentleman has not answered the last part of the question.

Mr. BRODRICK: I am not in possession of the information.

#### THE SAVINGS BANKS BILL.

Mr. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the Chancellor of the Exchequer when he expects to be in a position to give the names of the persons to be appointed under the First Schedule of the Savings Banks Bill; whether the members of the Committee are to be remunerated; what is the amount of the proposed remuneration to each; and what is their proposed number?

\*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I hope to be able to give the names at an early date, but my idea is that the first Committee, which should consist of either five or seven persons, should not be remunerated. The members of the subsequent Committee may possibly be remunerated by fees. But as the question of remuneration might preclude Members of the House from serving on the Committee, and it may be desirable to appoint some hon. Members on the Committee, I do not wish, at present, to come to a definite decision on the point.

#### POST OFFICE SERVANTS.

Mr. PICKERSGILL: I beg to ask the Postmaster General whether an official reporter was present at the annual conference of the Postal Telegraph Clerks' Association held last week; and, if so, was he present by his order, and in spite of the protest of the members of the Association?

\*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): Yes, Sir.

Mr. PICKERSGILL: I beg to ask the right hon. Gentleman whether servants of the Post Office have been officially called upon to explain why they attended meetings of the Postman's Union; and, if so, has this action been sanctioned by the Postmaster General?

\*Mr. RAIKES: What the Postmen have been called upon to explain is how they came to attend the meeting held on Clerkenwell Green, on the 16th ultimo, in spite of the warning which I

had given them only a day or two before. These explanations were called for by my direction.

Mr. PICKERSGILL: Am I to understand that the Postmaster General claims the right to forbid the Post Office servants from attending meetings, whether out of uniform or not?

\*Mr. RAIKES: In my opinion, servants of the Department in their relations to the Department are properly subject to official regulations.

\*Mr. C. GRAHAM: Can the Post Office servants attend such meetings out of uniform?

Mr. CREMER: Does the same rule apply to all servants of the Crown?

\*Mr. RAIKES: I am not responsible for any Department except my own. With respect to the question of uniform, the hon. Member is perhaps aware that it is competent for the servants of the Post Office to hold meetings, provided such meetings are held in accordance with the conditions laid down by the Department.

Mr. WINTERBOTHAM (Gloucester, Cirencester): May not Post Office servants attend political meetings out of uniform; and, if not, where does the rule begin, and where does it end? Does it begin with the Postmaster General, and how far down does it extend?

\*Mr. RAIKES: I have already stated that it is competent for the servants of the Post Office to attend public meetings in accordance with the regulations. Those regulations apply, not to political meetings, but to meetings at which official questions are discussed. There are no regulations requiring them to attend such meetings in uniform or otherwise.

#### THE LICENSING QUESTION.

Mr. J. E. ELLIS: I beg to ask the President of the Local Government Board whether a letter, dated 14th May, addressed by him to one of his constituents, Rev. Peter Thompson, on the subject of the licensing proposals of the Government, has been printed in official form and sent, at the public expense, to the clerks of the Local Authorities throughout the country; and if this is in accordance with precedents?

\*Mr. RITCHIE: It is not the fact that the letter to which the hon. Member refers has been sent to the clerks of the Local Authorities throughout the country.

I have received a very large number of communications with reference to the Local Taxation Bill, which were evidently based upon information supplied from two or three common sources, since in many cases they manifested similar misconceptions as to the nature and effect of the Government proposals. These misconceptions I endeavoured to remove in the letter to the Rev. Peter Thompson, and the transmission of a printed copy of that letter to my correspondents afforded, in my opinion, a satisfactory reply to their communications, and resulted in an economy both of labour and expense.

\*MR. J. E. ELLIS: Is it not the fact that this communication has been sent to the Town Clerks?

\*MR. RITCHIE: No, Sir, it is not the fact. It has not been sent to any Local Body to my knowledge. No doubt, if a Town Clerk wrote to the Board upon the matter in an individual capacity, a copy of the letter may have been sent to him, but no communication, either official or unofficial, has been sent to any Local Authority by the direction of the Local Government Board.

\*MR. J. E. ELLIS: I really must press the right hon. Gentleman upon this point, because I hold in my hand a copy of this letter which has been sent to a Town Clerk. Is it possible that it may have been posted to a Town Clerk without the knowledge of the right hon. Gentleman?

\*MR. RITCHIE: Of course I cannot tell what may have been done without my knowledge, but I cannot see how any official communication could have been made without my knowledge. Of course, if a Town Clerk wrote to make inquiries, it is quite possible that a copy of the letter may have been sent.

SIR W. LAWSON (Cumberland, Cocker-mouth): I beg to ask the First Lord of the Admiralty whether, in his speech at Acton on the 20th May, he, as reported in the *West Middlesex Standard* of 24th May, said that he would briefly summarise the proposals which the Government had this year brought forward for improving the Licensing Laws, and, in doing so, stated that the Government

"Proposed that the County Councils shall have control over all licences, and that to them the appeal and jurisdiction now in the hands of the Magistrates shall be transferred;"

and whether, in the event of his having been correctly reported, he has any objection to state in what measure introduced by the Government these proposals or provisions can be found?

\*LORD G. HAMILTON: The statement in question is an incorrect version of the words actually used by me on the occasion.

#### NAVIGATION OF THE THAMES.

MAJOR RASCH (Essex, S.E.): I beg to ask the President of the Board of Trade whether his attention has been called to the frequent cases in which smacks are run down by steam colliers in the estuary of the Thames, as in the case of the *Osprey*, of Burnham, on 18th May; and whether the Public Prosecutor can be instructed to take proceedings when loss of life has resulted from the neglect of those in charge of the steamer?

\*SIR M. HICKS BEACH: The case referred to by the hon. and gallant Member was reported in due course to the Board of Trade. On the information in my possession, such cases do not appear to be frequent, as the number of smacks run down by steamers of all kinds in the estuary of the Thames during the last six years has been 10, and the number of lives lost in consequence 14. With regard to the last paragraph of the question, when loss of life results from the personal culpable negligence of any person in charge of the steamer, the Public Prosecutor may take proceedings.

#### SCHOOL FEES IN SCOTLAND.

MR. DONALD CRAWFORD (Lanark N.E.): I beg to ask the Chancellor of the Exchequer from what date the grant in relief of payment of school fees in Scotland, proposed in the Local Taxation (Customs and Excise Duties) Bill, will commence to run?

\*MR. GOSCHEN: The first thing is to secure the passage of the Bill. When that is done, and the time comes for the actual distribution of the moneys, the Scotch Education Department will issue a Minute setting forth the conditions on which the sum shall be applied in relief of the payment of school fees.

## THE CORPORATION OF HANLEY.

MR. MACLURE (Lancashire, S.E., Stretford): I beg to ask the President of the Local Government Board whether the Mayor, Corporation, and Burgesses of Hanley (Staffordshire) purchased the Queen's Hotel in Hanley out of the public funds and converted it into a town hall and borough buildings; whether they sold the licence for £800; and whether the Local Government Board gave its sanction to this transaction?

\*MR. RITCHIE: I find that application was made to the Treasury by the Town Council of Hanley in 1883 for sanction to a loan under the Municipal Corporations Act for the purchase of premises, including the Queen's Hotel, with a view to its adaptation for a town hall and municipal buildings. The Local Government Board, by desire of the Treasury, directed an inquiry as regards the application by one of their Inspectors, and the necessary loan was sanctioned in December, 1883. I have no information as to whether the licence was sold for £800; but assuming that it was, no sanction on the part of the Board was necessary.

## THE AFRICAN SLAVE TRADE.

MR. HANBURY: I beg to ask the First Lord of the Admiralty what vessels of the British Navy are stationed on the East Coast of Africa and in the Red Sea respectively for the suppression of the Slave Trade; what number of boats, if any, specially fitted for that duty, such as large steam launches, are supplied to such vessels; and whether the boats at present usually supplied are not almost useless for intercepting dhows, and at the same time are so small as to be detrimental to the health and lives of the men employed in them?

\*LORD G. HAMILTON: In addition to the performance of other duties the following vessels are engaged at the present time in the suppression of the Slave Trade:—*Dolphin*, in the Red Sea, in the neighbourhood of Suakin; *Ranger*, at Aden; *Turquoise*, *Conquest*, *Brisk*, *Kingfisher*, and *Reindeer*, on the East Coast of Africa, with headquarters at Zanzibar. There are two 37 feet steam pinnaces, specially fitted for cruising against slavers, which are manned from the ships at Zanzibar, and are employed

with other boats belonging to the ships of the squadron. The boats of the vessels on the station have been employed on this service for a long time past, and have been instrumental in the capture of a large number of slave dhows, while the health of the men manning the boats has been quite as good as that of the crew of the ships from which they were drafted.

## THE COASTGUARD.

MR. HOWORTH (Salford, S.): I beg to ask the First Lord of the Admiralty is it a fact that no matter how efficient, or how many lives may be saved, the Chief Officer in the Coastguard has the same rate of pay on the first day he is promoted as after 20 or more years' service, which is contrary to the usage of all other Naval servants of the Crown, and especially of those who have risen from the ranks, and that although these officers may be appointed to the command of Coastguard divisions they continue to receive 6s. per diem; would he explain why these officers are only given 20s. per annum for their seamen's time, while those who have served with them under precisely the same circumstances get 30s.; and what difference is made in the pensions of those officers who command divisions to those who remain chief officers of stations?

LORD G. HAMILTON: Chief officers of Coastguard do not receive an increase of pay after promotion to that rank, nor when appointed to the command of a division, but these officers in certain cases receive a considerable addition to their substantive pay in the form of allowances for duties connected with the Royal Naval Reserve. Chief officers of Coastguard are still pensioned upon the scale applied to Warrant officers prior to 1870, as it was not considered necessary to extend to them the higher rate of 30s. now allowed to Warrant officers serving afloat. No difference is made between the pensions of chief officers in command of divisions and those of officers in charge of stations.

## SAVINGS BANKS BILL.

MR. J. E. ELLIS: I beg to ask the Chancellor of the Exchequer whether, in view of the interest felt in and importance of the provisions of the Savings

Banks Bill, he will arrange for its Second Reading at a time when reasonable discussion can take place?

\*MR. GOSCHEN: I attach great importance to the Bill; but I am not authorised by my right hon. Friend the leader of the House to state the nature of the arrangements which may be made for taking the Second Reading.

#### THE TITHES BILL.

MR. J. MORLEY: May I ask whether the Chancellor of the Exchequer is authorised to announce what business will be taken on Thursday?

\*MR. GOSCHEN: The Government intend to proceed with the Tithes Bill on Thursday.

MR. SEXTON: Will the Bill be taken day by day?

\*MR. GOSCHEN: I am not in a position to make any further statement upon the matter.

#### THE WEST AUSTRALIA BILL.

MR. J. MORLEY: Will the Chancellor of the Exchequer cause information to be conveyed to the First Lord of the Treasury as to the great inconvenience which is being occasioned in consequence of the delay in the re-committal stage of the West Australia Bill? I hope that some understanding may be arrived at.

\*MR. GOSCHEN: I will convey the question of the right hon. Gentleman to my right hon. Friend; but the right hon. Gentleman is aware that the Bill can only be proceeded with by the co-operation of hon. Gentlemen opposite.

#### MOTIONS.

##### STREET PROCESSIONS—METROPOLIS.

(4.10.) Mr. PICKERSGILL, Member for the South West Division of Bethnal Green, rose in his place, and asked leave to move the Adjournment of the House, for the purpose of discussing a definite matter of urgent public importance, namely, the threatened interference on Saturday next with the customary right of public demonstration in the Metropolis; but the pleasure of the House not having been signified, Mr. SPEAKER called on those Members who supported the Motion to rise in their places, and not less than 40 Members having accordingly risen,

(4.11.) MR. PICKERSGILL: This is the first occasion, Sir, on which I have ventured to take the somewhat extreme step of moving the adjournment of the House. I can assure the House that I should not have done so now if I had not been firmly convinced of the extreme importance of the action proposed to be taken by the Government, which action this Motion is intended to impugn. The action of the Government is most important from two points of view: in the first place, because, whatever its intention may be, it is calculated to cause public mischief and public disorder; and, secondly, because it seems to me to be really a consistent part of the policy which has characterised the present Administration, a policy that aims at destroying piecemeal all the great rights of public meeting in this Metropolis. When large bodies of men are brought together, if the public order is to be preserved, organisation is essential, and the best security for organisation is single control and undivided responsibility. In order to attain those great objects past experience has shown the propriety and wisdom of marshalling such processions as those which are proposed to take place on Saturday next upon the Thames Embankment, in order that they may proceed from thence in one continuous course to the place of meeting, namely, Hyde Park. The action of the Chief Commissioner of Police, which, as we have just heard, has the approval of Her Majesty's Government, is calculated to interfere very materially with that undivided control and responsibility, because we are told in the letter of the Chief Commissioner that those bodies of men who propose to go to Hyde Park from the north and west portions of the Metropolis, and also to some extent the processions which are to come from the south, are not to be allowed to go to the Embankment at all, but will be required to find their way to Hyde Park by various other routes. Now, I venture to assert that a proposal of that nature is likely to lead to confusion and disorder, owing to the divergence of route, and also to the division of responsibility. In 1884, and again in 1888, large demonstrations of the kind which it is proposed to hold on Saturday took place, and all that the organisers of the present demon-



stration require is that the course then pursued should be adopted now. The Chief Commissioner does not say that either in 1884 or 1888 there was any disorder. Is it true that in 1888 there was a monopoly, as he calls it, of Oxford Street? I was present at that demonstration, and I say with some confidence that there was nothing like a monopoly of Oxford Street, nor was there any material interference with the public passing along that street. And here I wish to point out that the Chief Commissioner has not been quite ingenuous or fair to the Organisation Committee in the statement contained in his letter, because he has made it appear that the Organisation Committee insisted on passing along Holborn and Oxford Street. The fact of the matter is, that the Committee were perfectly willing to make every reasonable concession in order to meet the views of the Chief Commissioner; and although the Committee first proposed to go along Holborn and Oxford Street, and would undoubtedly have preferred that route, yet, in order to meet the objection of the Chief Commissioner; they were willing to alter the route. There is, therefore, a little disingenuousness on the part of the Chief Commissioner in ignoring the concession they were willing to make. But there is something still more serious in the letter of the Chief Commissioner, having regard to the preservation of public order. He says—

“It is also clearly to be understood that the police will not protect or keep open a route for processions to the Embankment, but will be instructed to arrest the progress of or interrupt and divide such processions whenever and so long as may be necessary in order to allow the ordinary traffic to pass.

That course was not taken in 1884 or in 1888, but on both occasions the bodies of men who were passing to the Embankment had the protection of the Metropolitan Police; and upon the present occasion the City Police have promised the protection which the Metropolitan Police refuse. It seems to me that whatever the intentions of the framers of this Order may have been, its operation will be to hold out almost an invitation for the interference of those persons who, we know, look with dis-favour and hostility upon the processions

*Mr. Pickersgill*

of Saturday next. The intimation that the police will not afford protection to them is a distinct invitation to those who are opposed to them to bring out brewers' drays and other vehicles for the purpose of breaking up the order of procession and provoking the hostility of those who may take part in them. As to the grounds on which this rescript has been issued, the author of it lays great stress on what he calls the right of every individual member of the public to free and unrestricted passage along the public thoroughfares. To use language of that kind is to use the language of pedantry, seeing that the suggested right is interfered with every day and every hour in every day. Unless it were for the observance of mutual forbearance and the good-humoured exercise of the social virtue of give and take, the legitimate business of the Metropolis could not possibly be conducted. The Chief Commissioner himself recognises this, because in another place he says—

“I am not able to find in the incident of 1888 any valid grounds for asking the public, in the absence of any expressed wish on their part, to submit to such sacrifice of their rights in 1890.”

The words “in the absence of any expressed wish on the part of the public” are somewhat peculiar. They may suggest two questions. In the first place, what mode of expression of the public will does the Chief Commissioner require? If he will kindly indicate what will satisfy him, there may possibly be a mode of supplying the deficiency. But this further question is also suggested—has the public ever expressed a burning desire to sacrifice its convenience in order to enable persons to attend Drawing Rooms and Court ceremonials? The other day an allusion was made to the Lord Mayor's Show, and the right hon. Gentleman based the case for permitting it upon custom. It is upon custom that I mainly rely now. There has been, until the present Administration came into power, for many generations an absolutely uninterrupted custom of holding public demonstrations in the Metropolis; and if the right hon. Gentleman is to set up a custom on behalf of the Lord Mayor's Show, and to say that custom is to have no force and validity where political demonstrations are concerned, then I say

that the Government are playing against the popular liberties with loaded dice. A short time ago the right hon. Gentleman referred to the statutory powers which the Chief Commissioner possesses. I do not propose to enter into any legal argument, but I will simply state what I believe to be the fact that, properly and fairly construed, these enactments were designed not to suppress, but to protect, processions. They give power to organise a demonstration, but they give no power to the Chief Commissioner to suppress, practically, the right of demonstration in London. I am not anxious, as I said, to discuss the matter from a purely legal point of view, because I know that, if popular liberties are to be taken away, there is seldom any difficulty in finding a more or less plausible pretext. I know, also, it has frequently happened that popular liberties have been destroyed in the very name of law. Another point of view from which I regard the question is, that it is a step in the progress of encroachment. It is obvious, from the very terms of the Chief Commissioner's letter, that it is not the last step, because I find this passage—

"I wish it to be distinctly understood that these arrangements have only been sanctioned as a special case."

In conclusion, let me recapitulate the steps of progress through which the present administration have passed. In the first place, they laid an embargo upon Trafalgar Square; in the second place, they blocked up the approaches to Trafalgar Square; and now they prohibit the right of the exercise of the old custom of public demonstration through the main thoroughfares of the Metropolis. The next step, I have no doubt, will be, as is indicated by the threat in the Chief Commissioner's letter, to forbid processions altogether. And then, Sir, may come the last stage of all, which is already realized by our fellow citizens across St. George's Channel, whose happy privilege it is to be at this moment in the full enjoyment of the ultimate stage of the Government *régime*; the last stage of all will be to proclaim the meeting itself, and to bludgeon or even to shoot down those citizens who have the impudence to take part in it. For these reasons I think it is imperative that a protest as effective as we can make it should be entered against this gradual

process of encroachment upon liberties, and I beg to move the motion of the House.

Motion made, and Question "That this House do now adjourn" (*Mr. Pickersgill.*)

(4.25.) MR. CREMER (*Haggerston*): I have no fact that a great demonstration be held in Hyde Park on next is a most inconvenient the Government to contemplate have, during their term of office, ably displayed a terrible democracy. [*Cries of "Oh Ministerial Benches."*] Oh, I understand that; but I do not you call a Tory democracy, have for the time being manufactured for your own party purposes. I am speaking of democracy, the people themselves honest expression of opinion part which you have always you dread to-day; but upon the efforts which you are stifle the expression of public Saturday next, the voice will be lifted up, and the Chief Commissioner, ending Home Secretary, will on effect of increasing the volume. You have already, in fact, ranks by sending over to were at first scarcely we could have desired brethren, who were some between two opinions managed to brace the strengthen them, and the your interference and at this honest expression of part of the people will sin increased volume and demonstration. During office the Government has displayed a great dread opinion, except when it itself in the endorser they have pursued, and very seldom indeed. Then on Saturday next is people out of doors are to with very great intention mean the publicans and are dreading the result stration, but I mean to ourselves, who are anxious

the proposals of the Government to endow the publicans and to give them a permanent interest in their licences. I am very glad to say that up to the present time we have always avoided any collision between the police and the people when we have been met in a spirit of fair-play by the Government. In fact, when you have left us alone, we have managed to preserve the peace, but when you have attempted to divert our processions into back streets where no one can see them, the peace has not always been preserved. The object of the Government on the present occasion is to send the people through back streets where nobody can see them. When left alone we have always conducted our proceedings in an orderly manner. No communications were addressed to the *Times*, the *Standard*, or the other reactionary journals, complaining that the public convenience suffered in consequence of the demonstration of 1888. That demonstration having passed off in such an orderly and peaceable manner, we selected the same route for the demonstration of next Saturday. Now, for the first time, the Chief Commissioner of Police is setting himself up as the authority to select the routes through which processions shall pass. The police never attempted, except in regard to two or three very recent instances of very small demonstrations, to interfere with the routes of processions, but left them to be arranged by the promoters themselves. One would have thought that out of courtesy the Chief Commissioner would have sent his letter first to those to whom it was addressed, and invited them to sit down with him to discuss the desirability of changing the route, so that an amicable understanding might be arrived at. Nothing of the kind. This high and mighty Police Commissioner issues this ukase and sends it to the Press before he sends a copy to the Demonstration Committee. This is an extraordinary proceeding, and we should be wanting in our duty to our constituents if we allowed the action of the First Commissioner to pass unchallenged. To my mind it is clear that this is part of the policy which the Government have for a long time pursued. They are trying to transplant into this country the arbitrary rules which have been set up in the sister

*Mr. Cremer*

isle. First of all they struck a blow at the right of public meeting in Trafalgar Square on the plea that it was an interference with the traffic of the Metropolis. There were a great many people who were caught by that cry, and I myself have admitted that Trafalgar Square is not the best possible place in the Metropolis in which to hold a demonstration. The action of the Government, however, is not animated by a desire on their part to consult the public convenience. It was a blow struck against the rights and liberties of the people. I baited a little trap for the Home Secretary on the last occasion, and the right hon. Gentleman fell into it. I asked whether the people would be allowed to make a public demonstration on the Horse Guards' Parade, and after six months' serious consideration of the question the right hon. Gentleman announced that the Government had resolved that they could not allow public meetings to be held there. It is clear, therefore, that their intention was on that occasion to strike a blow against the right of the people to meet in order to discuss their grievances. Now another effort has been made, and it is obvious that the Government will be able to have their own way. They have had it for three or four years. In a few months, however, the turn of the Opposition will come, and we shall then restore to the people not only the right to marshal their own processions, but the right of meeting in open spaces. Without indulging in a threat I tell the Home Secretary that all his efforts and those of the Chief Commissioner of Police will be simply futile, because they can not prevent the tide of public opinion from rising. The democracy is now omnipotent. The fact that you are going to interfere with the demonstration proves that you dread an honest expression of opinion on the part of the people. I presume you fear that such an expression of opinion will somewhat endanger the passing of a Bill which you hope will help you at the next General Election.

\*(4.43.) SIR R. LETHBRIDGE (Kensington, N.): The two hon. Members who have just addressed the House have claimed to speak on behalf of the people of London. On a famous historical or quasi-historical occasion I think there were

three gentlemen who claimed to speak on behalf of the people of England, and I hope the two hon. Members opposite will allow me, as I, too, am a Metropolitan Member, to say a few words on this subject on behalf of the people of London. I speak for those peaceable and law-abiding citizens who desire to be allowed to go about their own business and to use the thoroughfares just as much as other people, and with no greater monopoly. It seems to me that only two points demanding any serious reply have been submitted to the House. The first was brought forward by the hon. Member for Bethnal Green (Mr. Pickersgill). The hon. Member pointed out that the City Police Authorities had given facilities for processions that had, according to the hon. Gentleman, been denied by the Chief Commissioner of Police of the Metropolis. I am doubtful whether that is quite accurate. The hon. Gentleman forgot, however, that in the City the streets are comparatively deserted on Saturday afternoon. In this respect they are much on the same footing as the Embankment and Birdcage Walk, which are opened by the Chief Commissioner to the hon. Gentleman and his friends. Then there is the point raised by the hon. Member for Shoreditch, that the rights of individual citizens to the free use of the thoroughfares of the Metropolis are frequently interfered with. The hon. Member mentioned such occasions as the visit of the Shah of Persia, the Lord Mayor's Show, and Drawing Rooms or Levées of the Sovereign. I would point out to the hon. Member that such occasions stand on an altogether different footing from a demonstration like that which is to take place on Saturday. Of the merits of that demonstration I will say nothing, but it is confessedly a partisan demonstration, confined to one party and to one section of the people of the Metropolis. I venture to say that the hon. Gentleman would be very much surprised if he were to find the humble individual who is addressing the House or any hon. Member on this side taking part in the demonstration. I would point out to the hon. Member that I claim no more for those for whom I speak than I allow to others. I have the honour to be a member of the Primrose League. Would not hon. Members opposite think the League was

claiming too much if it demanded the sole monopoly of the busy streets of London for the purpose of marching through them in procession? I think we should be asking too much, and I should never dream of putting forward such a claim on behalf of the Primrose League, or any other organisation. I apply the same rule to the proposed procession on Saturday. Moreover, it should be remembered that when special facilities are given for the occupation of the streets on such occasions as the visit of the Shah we are acting in a national and Imperial spirit. I am bold enough to say that even with regard to the Lord Mayor's Show, that function is, at any rate, a non-contentious one. It is a demonstration of a strictly Municipal and Metropolitan non-partisan character, and in regard to which all parties are to a certain extent agreed. Therefore, I say, hon. Members opposite are not justified in demanding for Saturday's procession an undue and unjust monopoly of the streets of London, although they may have the right to ask for such facilities as might be given without interfering with the rights of the other inhabitants of the Metropolis.

\*(4.50.) MR. T. H. BOLTON (St. Pancras, N.): I desire to join my hon. Friends on this side of the House in protesting against this unnecessary interference with the right of public meeting. It is rather remarkable that the Government should avail themselves of the opportunity, when an inconvenient demonstration is about to be held, to interfere with the Temperance Associations. I quite concede the legal right of the Home Secretary and the Chief Commissioner of Police to regulate, for the public convenience, the route which the procession should take, but they should exercise that right with discretion, and should, as far as possible, endeavour to meet the reasonable wishes of those who desire to take part in the procession. It must be obvious to the right hon. Gentleman that one of the purposes for which this procession is to take place is to enable the Temperance Associations to demonstrate in an organised fashion. The idea was that the various societies should assemble on the Thames Embankment, and then march through some public thoroughfares

to Hyde Park, there to hold a meeting. There may be objections to the processionists marching through Oxford Street, but I do not see what objection can be raised to their proceeding through Northumberland Avenue. The only point at which any difficulty might occur would be, I apprehend, Trafalgar Square. But if a large procession is to march from the Embankment the same difficulty will occur in crossing from the Embankment to the Bird Cage Walk. I cannot help thinking that the right hon. Gentleman should have assented to the proposal of the Temperance Associations to march through Northumberland Avenue, and he would have met the requirements of the associations. He would thus have afforded them an opportunity of displaying their numbers. When I put the question to the right hon. Gentleman earlier in the evening I was led to believe that he had prohibited the assemblage of the processionists on the Embankment, but I find that is not so. But if the people are to assemble facilities should be afforded to enable them to get to the place of assemblage. Unless the right hon. Gentleman will enable them to come in forties, fifties, and hundreds, with their bands, banners, regalia, and other paraphernalia for display, they will not be able to avail themselves of the privilege of assembling and marshalling themselves in processional order on the Embankment. It is essential that the Home Secretary should give them the opportunity of getting from their various neighbourhoods to the Embankment. The suggestion that the people should form themselves into a number of processions might be a convenient suggestion if the right hon. Gentleman anticipated the demonstration on the Embankment would be so enormous that it could not conveniently be organised in one procession there and march to Hyde Park. I cannot help thinking that the right hon. Gentleman has not quite realised that the duty of the police is to afford accommodation to the public, and to provide for all the public, and not merely a few individuals who are casually using a street. If half-a-dozen individuals are to have facilities to walk up and down a street, surely 10,000 people who want to use a street have far greater claims to the protection and assistance of the police in exercising

*Mr. T. H. Bolton*

their increased requirements in connection with a public thoroughfare. I must confess I am surprised at the line adopted in Mr. Monro's letter, or, I take it, as it has not been inappropriately called by a preceding speaker, and for a subordinate officer of the Government to talk about his "duty as far as possible to prevent large bodies of men marching in procession through the crowded thoroughfares" makes it appear that he entirely misunderstands his duty. If large bodies of people march through public thoroughfares of this city it is his business to afford them facilities, and not to interfere with them and create a disturbance by attempting to break up their procession. If the people were likely to be disorderly or seditious I could understand the right hon. Gentleman's anxiety and fear, but the right hon. Gentleman will hardly suggest that the Bands of Hope, Good Templars, and other organisations of the Temperance Party are dangerous or seditious in their character. A great many of the people who will join in the procession desire the assistance of the police in getting from the Embankment to Hyde Park, and they are the very people whom the Chief Commissioner and the right hon. Gentleman ought to afford facilities to. There is a great deal in this letter of the Chief Commissioner of Police which grates very much on English notions of the right of public meeting. The tone of the letter is certainly very objectionable. There is a reference to a statement made in Parliament by the right hon. Gentleman himself. I hope the right hon. Gentleman will disavow that statement. To say that a body of 600 persons marching in procession with bands and banners through a crowded thoroughfare is a public nuisance is to use very strong language indeed. If a thoroughfare is crowded it is the duty of the police to facilitate the traffic. Towards the end of this remarkable letter of Mr. Monro there is what I submit is really an invitation to disturbance.

"It is, of course," he says, "to be understood that the police are not prepared to keep open the route for the processionists to the Embankment; they will be instructed to arrest, break up, and divide such processions whenever and so long as it may be necessary to allow the ordinary traffic to pass."

But I say that if there is an extraordinary addition to the traffic, and the

police have notice of this addition to the ordinary traffic in a particular district or place, then I say the police should have regard to the larger number of persons wanting to use the streets, and use every effort to afford them free passage. By refusing to discharge that duty, the police are actually inviting disturbance, and suggesting interference with processions by those who hold views adverse to those who take part in them. If the Home Secretary would give an assurance that every facility shall be offered by the police for people to proceed to the Embankment on Saturday next, that would satisfy most reasonably minded people, but while the right hon. Gentleman admits the propriety and reasonableness of the proposal to assemble on the Thames Embankment, and yet refuses to afford facilities to persons to proceed to the place of assembly, he acts inconsistently, and invites disorder and trouble in this city. I am not here for the purpose of making an attack on the reasonable exercise of discretion by the police and the Home Office in regulating the passage of processions, but I say it is the duty of the Commissioner of Police, and his superior here, to afford reasonable protection and assistance to any number of the public who desire to have the opportunity of making a peaceable demonstration on any public question. On this occasion it happens to be an unfortunate question for the Government. The Government do not want to see a large demonstration, and possibly they might be glad to have obstacles in the way of any large procession or any great meeting. It may not be so, but the very suspicion of such a thing should have induced the Home Office to use the greater forbearance and consideration. If the demonstration should happen to be small and insignificant, then the Government would serve their own purpose by assisting the demonstration. If it is large and important, then it has the more claim to appear before the public in its true proportions. Certainly the Government should be more particularly careful to display fairness towards political opponents. I hope the right hon. Gentleman will re-consider his arrangements, and allow of police assistance to facilitate the assembling of the various contingents of Temperance Societies from different

parts of London, allowing these to march along selected routes to the place of assembling for the general procession. An hon. Member opposite has suggested the possibility of a Primrose League demonstration; and all I can say is that if the hon. Member and his friends desire to organise such a procession and demonstration, and the police throw difficulties in the way we will join in protest against such interference. Indeed, we would willingly do this, for we should like to see the numbers of the Primrose League, and we would heartily join in endeavouring to secure all facilities for a Primrose League procession, with all its paraphernalia, insignia, and decorations. I protest against unnecessary interference with a peaceable procession, and I protest against Government interference indirectly with public meeting. I am not prepared to say the interference is with the desire to embarrass political opponents, but it certainly wears that aspect, and is likely to encourage such a suspicion.

\*(5.10.) THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I regret that the hon. Member who has just sat down should have departed from the reasonable temper and rational concessions of his opening observations. Of the opening part of his speech I should not have had a word to complain, but when he imputes to the Government a political motive—some dislike of the opinions and views of those who want to organise the procession next Saturday—I can only assure him that he is entirely mistaken; and if his mischievous advice be followed by my hon. Friend, and the Primrose League should inconvenience the Metropolis in the same way as is proposed next Saturday, the same measures precisely will be taken. I do not wish to treat the subject with acrimony, and I hope hon. Members will excuse me if I do not follow them into many heated comments as to popular rights and so on. Really it seems to me that they have no bearing on this question, but I ask leave to offer a few common-sense suggestions upon the question of processions. I think hon. Members must feel that, in the condition to which the streets of this Metropolis are rapidly coming, the frequent passage

of such organised bodies of men is, to say the least, a highly inconvenient thing, and I venture to say that it is not consistent with the public rights to the thoroughfare. If half-a-dozen men choose to walk down Bond Street arm-in-arm, sweeping everything before them from the foot pavement, and preventing others from going on that foot pavement, they would be clearly exceeding their rights, and I think it would be the duty of the police to interfere. These processions consist not only of one rank of half a dozen men, but of hundreds of such ranks of men, linked together, and not giving and taking—as I think the hon. Member for Shoreditch said—which is the rule of the thoroughfare, giving others just as much opportunity of using the thoroughfare as they take themselves, but sweeping before them carriages and foot passengers alike, and preventing all use of the thoroughfare so long as the procession is taking place. Let us get rid of the idea of processions entirely. If an owner of carts were to take half a dozen of them, and tie them together, and insist upon their passing in an uninterrupted line down Bond Street, that would be in excess of his rights, and his string of carts might be broken up in order to allow other vehicles and foot passengers to cross the line occupied by his carts so connected. Do not let it be forgotten that this organised occupation of large portions of the highway, to the prevention of all other use of the highway, is an abuse of the right which we all have equally in the streets. It is a departure from that principle of give and take by which alone the use of our thoroughfares can be maintained; it is a monopoly claimed for processions, but the good nature of the public is such that on most occasions they wink at this sort of usurpation, when persons, having no mischievous intention in their minds, make a demonstration of their views by means of a procession. But do let the House observe that the matter has now become one of serious consequence. On inquiry I find that there is an increasing mania for these demonstrations, for it really is so. The recorded figures which I have before me show that in 1887 there were 200 of these processions, in 1888 there were 1,400, and in 1889 there were 1,200 altogether.

*Mr. Matthews*

An hon. MEMBER: Of what sort?

\*MR. MATTHEWS: The large processions numbered 17 in 1887, 13 in 1888, and 60 in 1889. I leave the House to imagine what sort of labour that threw upon the police in keeping the route open for the passage of these processions. All traffic is stopped on both sides in order to enable them to pass, and enormous numbers of the police have to be employed on that duty. Indeed, the amount of extra work is so great that the increasing frequency of these processions may well suggest the consideration whether it is not expedient to make a large increase in the Police Force. Now, the hon. Member for North St. Pancras has stated the rights of the police with fair accuracy; they regulate the passage of processions so as to cause as little general inconvenience as possible. Can it be contended that a demonstration of public opinion cannot be made in Birdcage Walk or Grosvenor Place, and that it is absolutely necessary to obstruct Piccadilly and Oxford Street? The hon. Member opposite is somewhat mistaken in his facts. The processionists desired to take, not the shortest, but the most circuitous route they could, and through the most crowded thoroughfares, to Hyde Park. What they wanted to do was to cause the maximum of inconvenience to the public and the maximum of trouble to the police. The difficulty and trouble that the police have in keeping a route for a procession of this sort are enormous. What the Commissioner says is this:—

“If you want to go to Hyde Park, where you can have your speeches and your expressions of opinion and your demonstration, the nearest way is, by Birdcage Walk and Grosvenor Place.”

But do not let it be supposed that even then inconvenience is not inflicted upon the public. An hon. Member told me that the last Sunday when a procession was protected by the police the necessary interruption of traffic caused no less than 81 omnibuses to be stopped in the Knightsbridge Road, while it was passing Hyde Park Corner. Can it be said that processionists have a right to obstruct the traffic like that? If they were kept to their strict rights, the police would break up the procession and allow the other traffic to pass, as they do with all other traffic. But if that course





is danger in accepting this proposition which is put forward by the Commissioner, and I think we ought to protest against the overstraining of this doctrine of public convenience. The fact is that a great mistake has been made in this case, and I hope that the Government will not insist upon a doctrine which would be extremely mischievous in its results.

(5.30.) MR. J. ROWLANDS (Finsbury, E.): The whole question before us now is whether from this time processions shall cease in the Metropolis. I appealed to the right hon. Gentleman, who was so careful not to introduce any heated language in his speech, to give us a reason for the action the police have taken; and I venture to say that he has entirely failed to meet the charges which have been made from this side of the House with regard to the tenour of the language held by a subordinate of the right hon. Gentleman. I say that this document is couched in language totally unbecoming in a permanent official speaking of the people in whose employment he is. It contains almost an incentive to disorder. Those of us who have raised this discussion are most anxious that there should be nothing in the shape of disorder, and we want the Government to act in such a way as will do away with all friction between the public and the police. The defence of Mr. Monro has been based on a statement by the Home Secretary in 1889, in reference to a Salvation Army procession, which was making its way to Exeter Hall, and had proceeded more than two-thirds of the distance when it came into collision with the police. And what was the reason for that collision? According to the view of the right hon. Gentleman the Home Secretary this procession of 600 persons became a public nuisance directly it entered the area controlled by the Metropolitan Police, although it had just passed, without difficulty, through the crowded streets of the City, where the arrangements were controlled by a police force managed by the citizens themselves. The citizens of London are face to face with a state of things which cannot be equalled in any other town in the country. We know that at the great Franchise Demonstration in 1884 the processions were allowed to pass from the Embankment, up

*Mr. Childers*

Whitehall, and through Trafalgar Square to Hyde Park, and the Heir Apparent and his family occupied a seat in Whitehall, from which they viewed the citizens expressing their opinion in a Constitutional manner. There was no danger felt then; why should there be now? Yet here we have an edict issued by a permanent official and couched in language which we are bound to resent. All that the promoters of Saturday's demonstration desire is that the same facilities should be accorded to them as have hitherto been enjoyed. They are not anxious that the methods of the Chief Secretary should have too strong an influence on the Cabinet, or that the right hon. Gentleman should try and induce his Colleagues to imitate in this country some of his characteristic acts. I protest most strongly against the action of the Chief Commissioner. I protest against the speech of the Home Secretary and against the ideas which underlie his views on the subject of public processions. The ukase of Mr. Monro practically prevents the people from assembling on the Embankment, for it directs that those who come from certain directions, as from Westminster Bridge, shall proceed direct to Hyde Park. The right of public meeting has been the safety valve of public opinion in this country in times gone by. Men have been allowed to meet and demonstrate in the past, and I say by all means do not prevent them doing so now. You ought not to rob them of a privilege they have so long enjoyed, and I submit it would be a most dangerous thing to do so. I think we are bound to press this matter to a division.

\*(5.48.) MR. BRADLAUGH (Northampton): I agree with the Home Secretary that these questions are of growing seriousness because of the huge population we now have in London. This population is increasing year by year, and consequently these public assemblies on important occasions also grow larger. The Home Secretary says that the duties thrown on the police are exceedingly heavy. That is so, and yet he is now putting upon them duties which they used not to be called upon to discharge. I have during the last 30 years had wide experience of the police in connection with public meetings. It

has been my good fortune never to come into collision with them. But I have never gone to the police for assistance in connection with any of the great meetings I have held. I have not conceived it to be the duty of the police to interfere or to do anything except to keep order so far as their jurisdiction extends. It is not for me to criticise the action of the promoters of next Saturday's demonstration, but I am not sure that they have been wise in applying to the police authorities. Those who summon huge demonstrations of this kind should take reasonable precautions for maintaining order, and should not have recourse to the police, except as ordinary citizens. What has happened, especially during the last half a dozen years, has been a disposition on the part of the Police Authorities to interfere in political demonstrations. I recently put some questions to the Home Secretary as to some inquiries made by the police with reference to a Post Office *employés'* meeting, and I received a denial founded on information supplied to the police by we know not whom. I am afraid there is a growing feeling on the part of the police that it is their duty to act in the same way as the Continental police, and to interfere with the arrangements for holding political meetings. They used not to adopt this policy, and it ought to be no part of their duty so to act now. I think we ought, therefore, to enter a strong protest against their action. The Home Secretary tells us that there are more meetings now, and that it may be his duty, unless something is done, to ask for an increase of the Police Force.

\*MR. MATTHEWS: I said that there were more processions, and that if the police are to be charged with these duties the number of the Force must be increased.

\*MR. BRADLAUGH: But why do you not shut your eyes to these processions, as other Governments have done before you? Most of my demonstrations have been held without any police interference. The working of the Police Force is not a thing merely in the hands of the Home Secretary or of the Chief Commissioner. It is regulated by statute, and I deny that the Act gives the Chief Commissioner any sort of authority to break up processions or to hinder them. He has the duty cast upon him of making regulations for

the preservation of the peace; but when he acts as he is now doing he brings himself into conflict with the people, and that is a very dangerous thing to do. It is absurd to say that the police can control the whole of the people of the Metropolis. The people are only controlled by their desire to be law-abiding, and unless they are law-abiding it is impossible to restrain them without the assistance of the military. I repeat that the Chief Commissioner had no right to issue from his room at Scotland Yard such a decree as Mr. Monro has sent out.

\*(5.55.) MR. CAUSTON (Southwark, W.): The hon. Member for North Kensington has rebuked two of my hon. Friends because they have come forward as the spokesmen of the London people.

SIR R. LETHBRIDGE: I beg the hon. Member's pardon. I am sure he has no desire to misrepresent me. What I said was this. If the two hon. Members who have spoken claim to represent the people of London, they surely will not object to my also claiming to be a Metropolitan Member, and, like them, to represent the people of London.

\*MR. CAUSTON: I accept the hon. Member's explanation, although I remember the hon. Member's verbal reference to the Tailors of Tooley Street; but I want to draw attention to the fact that it is the London Liberal Members who have risen to uphold the rights and privileges of the people, and that the only London Member on the Tory Benches who has spoken is the hon. Member, who has already avowed that it is not his intention again to seek the suffrages of his constituency. Now I do not wish to prolong this debate; but I want to emphasise the fact that it is a Tory Government which is trying to deprive the people of London of their rights and privileges, and unless the people through their Parliamentary Representatives make a strong protest, they will soon have no rights left at all. The Home Secretary has referred to the increasing number of these processions. But why are these demonstrations held? Simply because the policy of the Government is so distasteful to the people of the Metropolis; and the more educated the people become, the more frequent will be the protests of this character. I can assure the hon.

Member for North Kensington that, if he desires to have a Primrose League demonstration, nobody will be more willing than the London Liberals and Radicals to assist in keeping order. The fact is, that the Government have no confidence in the people; on the contrary, they have a terrible fear of the people. I believe, however, that the people of London are as orderly as any body of people to be found in any part of the world. We very much object to the fact that we have not the same rights and privileges as people resident in cities and towns such as Birmingham, Manchester, Liverpool, Glasgow, and the City of London, where the police are under the control of the directly elected Representatives of the people, and not under the sole control of the Home Secretary or a Chief Commissioner. The Chief Commissioner has said that he is responsible for what is contained in his letter, and the Home Secretary has in this House taken the responsibility upon himself. Whom are we to rebuke? I hope it is not too late for the Government to say they will allow the different branches of the procession to go to the Embankment and assemble there without any restriction being placed in the way of their meeting, as they have hitherto been enabled to do.

\*(6.1.) MR. NORRIS (Tower Hamlets, Limehouse): I rise, Sir, for the purpose of answering the taunt that hon. Members on this side of the House have refrained from taking part in this Debate. I congratulate the right hon. Gentleman the Home Secretary on the firm position he has taken in this matter, and I also congratulate the right hon. Gentleman's subordinate, Mr. Monro, upon his action. The reason for the action which has been taken in this matter is to be found in what has been going on in the Metropolis for many months past when processions of this kind have been taking place almost day by day to the great interruption of business and the extreme inconvenience of the inhabitants generally. I am the Representative of a large democratic constituency, and should be one of the last to attempt to restrict the legitimate rights of the people in regard to public meetings; but I assert unhesitatingly that the regulations and rules laid down by the Home Secretary are not intended

*Mr. Causton*

to interfere with those rights, but merely to regulate the proper use of the thoroughfares, by diverting processions from the busy streets so as to prevent their interference with the regular traffic of the Metropolis. As the Civil Governor of the Metropolis, the right hon. Gentleman has a perfect right to prevent interference of the ordinary use of the thoroughfares by the public, and I think the boldness of the language he has used is fully justified by the fact that as these processions have been carried out of late they have become an intolerable nuisance. Although I support the legitimate exercise of the rights of the people, I think that those public demonstrations ought to be carried out in such a manner as not to interfere with the ordinary public business. There are undoubtedly many who sympathise with the object of those who wish to make the proposed demonstration; but, at the same time, due consideration ought to be given to the rights of that portion of the public who do not desire to take part in the contemplated procession. Although I am aware that what I have just said may not be popular in certain quarters, I think we have every right to congratulate the right hon. Gentleman the Home Secretary on the stand he has taken in this matter.

\*(6.5.) MR. CUNINGHAME GRAHAM (Lanark, N.W.): I am not one of those who deny that any Government has a right to control and regulate, to some extent, public processions; but it seems to me that this matter, which has already occupied the attention of the House of Commons for an hour or two, is rather one that ought to be within the jurisdiction of the County Council, which is specially elected for the exercise of municipal functions, than that it should be allowed to take up the time of the great representative Council of the nation. For once I feel myself in agreement with the hon. Member for Northampton. I think that during the last year or two the police seem to have taken upon themselves the right of controlling the public meetings and breaking up public processions in a manner which creates some ground for alarm; but I ask the Government whether they think that in the future these processions are likely to be increased or diminished by the course

they are now taking? Some observations have fallen from the hon. Member for Southwark (Mr. Causton) with which I do not altogether agree. He said the people of London were demonstrating in large processions because they do not agree with the policy of Her Majesty's Government, thereby inferring that if the Government were to be replaced by a Government composed of Members sitting on this side of the House the people of London will necessarily be in agreement with the policy of that Government. That I believe to be an absolute fallacy. I do not think that the policy propounded from either side of this House will ever in the slightest degree be accepted by the vast bulk of the population of London. I may, however, say that there is one matter which is not a cause of any astonishment to me, because I have become accustomed to it, and that is the attitude taken by the occupants of the Liberal Front Bench on this occasion. We have just had a halting little homily from the right hon. Gentleman the Member for East Edinburgh (Mr. Childers) of a kind to which we have become accustomed. But, apart from the right hon. Gentleman, we have seen to-day, as on many previous occasions when very serious matters are going on in the Metropolis, the occupants of the Front Bench have sat like so many stuffed figures at Madame Tussaud's, making no observations whatever, but occasionally running out to look at the telegraph tape to see what news was coming from Connemara or other parts of the world out of which they might be able to make political capital. Such conduct does not much astonish me; but I hope that the people of London, if they attach much importance to this question, will read, mark, learn, and inwardly digest the silence of those right hon. Gentlemen; and I trust, also, that at some future time, when votes are to be caught and *kudos* is to be gained at a small expense, we may be enabled to hear a word or two from the right hon. Gentleman the Member for Newcastle, or from some other right hon. Gentleman now seated on the Front Opposition Bench in the undignified attitude of members for Madame Tussaud's.

(6.10.) The House divided:—Ayes 121; Noes 231.—(Div. List, No. 114.)

# ADJOURNMENT (DERBY DAY).

(6.24.) LORD ELCHO (Ipswich): In rising to move "That this House at its rising do adjourn until Thursday next," I feel that I do so under circumstances which are somewhat disadvantageous to myself. I will not allude to the fact that there was a time when such a Motion was made, as a matter of course, by the Government of the day, but those times have long passed away. Members on this side of the House are continually being told that their actions should be a reflection of the views of their constituents; that they should follow public opinion, not attempt to lead it. Well, I venture to say that if any hon. Gentleman opposite were to appeal to his constituents as to whether he should favour them with one of his speeches or go to the Derby, the answer would, in the large majority of cases, be an emphatic "Go to the Derby." Whether we approve or whether we deplore it, the fact remains that to-morrow the "flowing tide" will be towards Epsom. I venture to say that the prospects of the Session are by many less intelligently discussed than those of the racing season, that the withdrawal of a great Government measure would cause less excitement than the scratching of the favourite; and that, greatly as the country respects right hon. Gentlemen on the Government Bench, the news that the whole of them were laid low by a severe attack of influenza would be received with a feeling mild in comparison with that which would be displayed if the horse which has been principally backed were to suffer from a mild attack of the same complaint. What makes hon. Members hang over the tape machine in the Telegraph Room, on which five pages out of six deals with racing matters? The present House of Commons is more popularly elected than any which has previously dealt with this question, and I do not think this House will be the first to break a time-honoured custom by refusing to adjourn for what is a national festival. Looking over the House I am at a loss to see where the opposition to my Motion is to come from. On the Front Government Bench, for instance, I see the right hon. Gentleman the Minister for Agriculture. England expects that right hon.

Gentleman to be at the Derby, and in my own humble judgment it would be an act of inhuman cruelty to compel him to remain here answering questions as to the slaughter of foreign cattle at the port of embarkation at a moment when an heir of Hermit might be carrying off the racing honours of the year. Why, the dogs which he has muzzled would sympathise with him in his enforced absence from the Derby. I turn to the Front Opposition Bench, where the hon. and learned Member for Hackney (Sir C. Russell) ought to be and is not. Perhaps he has anticipated the verdict and has already adjourned to Epsom, where he is as popular as in this House and in all the Law Courts of the Kingdom. I am quite sure the followers of the noble Lord the Member for Rossendale (Lord Hartington) will go to the Derby. I approach with greater diffidence that part of the House where the uncompromising champions of the rights of the people usually sit. I refer to those who follow the hon. Member for Northampton (Mr. Labouchere). Surely it speaks volumes for the popularity of the great national racing event of the year when that hon. Member, who is always so jealous of the waste of public time, should, even when his own Party is in power, have moved the adjournment of the House over Derby Day. There is one other quarter, namely, that in which the Irish Members sit, by one of whom the adjournment of the House over Derby Day has before now been most ably moved. There is one Member to whom I look for support with much confidence, the hon. Gentleman the Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor). We have seen the phenomenal success of the *Star* placarded over the whole Metropolis. We have been taught to identify the success of the *Star* with the hon. Member. I do not wish to under-estimate the value of the picturesque-written leading articles in contributing to that success, nor yet his efforts to sweep out the "old gang" from power, nor yet his endeavours to raise the political, social, and moral tone of the working classes. But I would suggest that the success of the paper is due entirely to the excellence of its sporting information and to the racing prophecies of its turf correspondent, "Captain Coe."

*Lord Elcho*

I do not know whether "Captain Coe" is the name under which the hon. Member (Mr. O'Connor) goes racing; but I hope he will vote for the observance of a day, the phenomenal popularity of which has tended to his paper's "phenomenal success." If there had been any legislation of importance to come before the House to-morrow I should not have brought forward my Motion. There was a time, in 1882, when the House unanimously agreed not to bring forward that Motion, because the right hon. Member for Mid Lothian was daily and hourly engaged in passing a measure for the preservation of peace and the maintenance of law and order in Ireland. But the right hon. Gentleman is not now engaged in the preservation of law and order in Ireland. Wednesday afternoon is the private Members' ewe lamb from which the rapacious hand of the First Lord of the Treasury has as yet been kept aloof, and if there were on the Paper one of those Motions which fill the House and the Lobbies and give so many gentlemen from the country an opportunity of seeing the Metropolis, I should not have moved my Motion. But there is not a single Member of the House—not even the hon. Baronet the Member for Cockermouth (Sir W. Lawson)—who will maintain that if we sit to-morrow, one single Statute can by any possibility be added to our record at the end of the Session. It is true there is a Local Option Bill before the House to-morrow; but I think I am right in saying that its supporters are not in earnest about that Bill, but are looking forward to another fight on a different occasion. I think the hon. Member for Cockermouth himself wants rest. He has a heavy week before him, and he will have the demonstration in Hyde Park on Saturday. He surely will require a few days' rest to re-dress that old banner, and prepare that old speech for delivery. I move the Resolution because I believe that by granting it the House will be acting strictly in accordance with precedent, that in keeping a time-honoured custom they will not interfere with the course of any legislation, and that they will be giving an opportunity to many people of seeing the great race of the year. I know that hon. Members may go to the Derby or not as they like; but there are others who, though not Mem-

bers of this House, have to remain in the House while it sits, and on their behalf I ask for the adjournment over the Derby Day on the grounds I have stated.

SIR W. LAWSON (Cumberland, Cockermouth) rose to address the House.

\*MR. SPEAKER: Does the hon. Member second the Motion?

SIR W. LAWSON resumed his seat.

MAJOR RASCH (Essex, S.E.): I beg to second the Motion.

Motion made, and Question proposed, "That this House at its rising do adjourn till Thursday."—(*Lord Elcho.*)

(6.39.) SIR W. LAWSON: I believe this is the first opportunity the present Parliament has had of giving its decision on this question, and I am sure the Motion could not have been brought forward in a more able or agreeable manner. I do not see, however, that there was very much argument in the noble Lord's speech, and I am glad I looked back at the Debate which took place on the Motion for the Derby Day Adjournment in 1886. The Motion was then moved by the hon. Member for Northampton (Mr. Labouchere), who said that anyone who opposed the Motion must be either a bad man, a crotchety man, or a Scotchman. I am not a Scotchman, but I may be a bad man, and I certainly am a crotchety man. The reason given by the Seconder of the Adjournment in 1886 was that it would give a holiday to the Irish Members, who were the most hardworking and deserving set of men that House. That was before they became criminal conspirators. The arguments generally used in favour of that Motion appear to be three—first, that horse racing is a noble sport; secondly, that it is a national sport; and, thirdly, that the Adjournment is a time-honoured custom. I do not think horse racing has anything very noble about it. I find it stated in a newspaper published a few years ago that a racecourse, or indeed a town where a meeting is being held, is a veritable Alsatia, where murderous ruffians break windows and wreck public houses, and which decent people cannot safely enter except armed and in bands. In fact, it is said it is positively dangerous for a well-dressed man to venture on a racecourse. That

statement is made in *Truth*. That is the opinion of racing given by my leader. Now, I will give the opinion held by the late leader of the Tory Party. Lord Beaconsfield said in his last novel, speaking of a former time—

"The Turf at that period had not developed into the vast institution of national demoralisation which it now is."

That was some years ago; but no one who reads the newspapers can believe that the Turf has much improved between then and now. So much for the noble sport. Now, how about its being national? In one sense, no doubt, horse racing is a national sport—that is to say, it is very popular; but what is national is not always rational, and in my opinion, if the House takes a step of this kind, it ought to have the sanction of virtually the whole of the nation. I object to what I may call ecclesiastical adjournments for Saints' Days and so forth, simply because there are a large number of people who do not hold views in favour of them. On this question of racing, I think you would find that one-half of the nation would be against the proposal. Horse racing is most popular with the lowest and with the highest classes, with what Mr. Bright called the residuum and the aristocracy—with the dregs and with the scum of society. But notwithstanding that, I maintain that there are hundreds and thousands and millions of people, whose opinions are well worth considering, who strongly object to this sort of thing. Then it is said that the Derby is a time-honoured occasion. Well, the House of Commons, I believe, is about 700 years old; but this so-called time-honoured institution was only started about 43 years ago. From 1860 to 1879 the Adjournment for the Derby Day used regularly to be moved by the Minister of the day; but in the latter year, in the days of Sir S. Northcote—very much, I think, to his credit—this was given up, and after that the Motion fell into the hands of the small fry of the House of Commons, such as the right hon. Gentleman the Minister of Agriculture (Mr. Chaplin), my hon. Friend the Member for Waterford (Mr. R. Power), and the hon. Member for Wigtownshire (Sir H. Maxwell). I daily see in the newspapers and in the speeches of public men lamentations

deep and solemn over the enormously increasing vice of gambling; but what is the use of it all if the House of Commons sets an example by giving its sanction to the greatest gambling day in the whole year? Let me read an extract which I obtained from the *Manchester Guardian* a little while ago:—

“Now one thing may be taken for granted. If all the Archbishops, Bishops, Incumbents, Curates, Ministers, Elders, Deacons, Missionaries, and District Visitors in existence were to devote their whole time to a combat with this evil they would effect nothing so long as the present facilities for gambling are afforded.”

It is in order to encourage one of these facilities that we are asked to adjourn to-morrow. The House is asked to give a sort of popular lesson and a national sanction to a system which is blighting and demoralising the body politic. Right hon. Gentlemen on the Treasury Bench have been stumping the country for the last fortnight like members of a Good Templar lodge, declaring that they are the greatest advocates and promoters and supporters of temperance the world has ever seen. I hope they are not going to make up for that zeal in the path of temperance by going a little astray in another direction. I remember a tale of a quaker gentleman, who was very much troubled on account of his coachman's free use of bad language, and who gave the man an old coat on his promising to try and reform. About a fortnight after the quaker said: “Well, John, and since I gave thee the coat hast thou altered thy bad manners.” The coachman replied, “Yes, Maister, I've given up swearing, but I've taken terribly to lying.” Do not let it be said that Ministers of the day having given up drinking, have taken to gambling. We have heard a great deal said about the congested state of business. There are eight most important Bills down for to-morrow. I will not read the titles of them all. I will only read the title of the one first on the list, and which will come on for discussion if the House meets. It is the Liquor Traffic Local Option Bill. I venture to say there are millions of people who are much more keen about that Bill than about what horse will win the Derby to-morrow. Let the noble Lord who has submitted the Motion go to the Derby. We can spare him. Let us do our duty

*Sir W. Lawson*

in legislating for the masses of the people. We shall then be doing something far more creditable than taking this stupid, silly, vulgar step of adjourning the British House of Commons to go to a horse race.

(6.55.) MR. LABOUCHERE (Northampton): I had intended to give a silent vote, but I wish to put my hon. Friend who has just sat down right in regard to my position on this question. It is true that I have made observations to the effect that there is considerable objection frequently to race meetings, but the objection which my hon. Friend cited ought really to dispose him to allow race meetings. I said I had observed that persons who went to race meetings were inclined to wreck public houses. I thought that the essence of the views of my hon. Friend was that in this matter he was a wrecker himself. The hon. Baronet seems to think there is a race meeting to-morrow at Epsom. There is simply a race meeting in name. There is an old-fashioned custom of going down at this season of the year to Epsom to welcome the summer solstice. The object is to enjoy the breezy air of the downs. It is true there is a race, amongst other amusements, but the race is a mere pretext. I speak from practical experience. I can assure my hon. Friend that the very last thing persons trouble about at Epsom is the Derby. I have been there frequently, and I really believe I never saw the Derby run in my life. This, Mr. Speaker, is a utilitarian age. We are always seeking to improve ourselves or somebody else. I regard this proposal to adjourn as a mere concession to the fact that people cannot go on improving themselves and others for ever, but must have some slight enjoyment. That is, I should say, the reason why this House has always adjourned on Derby Day. I can appeal to my hon. Friend for his vote on another ground. I support the Adjournment because I am in favour of temperance. The public houses and the downs are entirely antagonistic, and it seems to me most desirable to encourage the toiling thousands to go down to enjoy themselves on the downs at Epsom instead of soddening themselves in the public houses in London. My right hon. Friend may think there is a lot of drinking there. He is mistaken. I can assure him that there is not nearly so

much drinking at Epsom as there is on Bank Holiday. People go down there not to drink but to amuse themselves. Let my hon. Friend go and look at any costermonger driving his family down. It is a glorious sight to witness, and when I see it I say to myself, "That man, instead of going into the public house, has been saving up his money in order to take himself, his wife, and the family down to the breezy downs; his example will encourage other persons to do likewise." Therefore, it is as an advocate of temperance, and as one desirous that temperance should prevail in this country, that I hope the House will by precedent and example encourage persons to go to the Derby.

(7.0.) **MR. COGHILL** (Newcastle-under-Lyme): The hon. Member has informed us that, having been to the Derby several times, he has not seen it run. Under these circumstances I think the House will have very little faith in the temperance proclivities of the hon. Member. I must protest against the House of Commons adjourning for a race meeting. It is said that horse racing is a national sport, but if that be so, I deny that it is the chief national sport. Why should Parliament adjourn for a horse race any more than for a cricket match? There is now being played a very important international cricket match, and if the House adjourned for the Derby it ought to adjourn for an international cricket match. There is an important Bill down for to-morrow. The hon. Member for Cockermouth (Sir W. Lawson) has recently interested a large number of Members in his support as temperance reformers, and I trust they will vote with him this evening for the rejection of the Motion. I earnestly hope that, for the dignity of this House, and in the interest of the business of the nation, we shall adopt a more dignified course than that of adjourning for the Derby.

(7.3.) **MR. CONYBEARE** (Cornwall, Camborne): I want to emphasise for the benefit of our constituents the contrast between the appearance of the House this afternoon and its appearance last night. We have had some excellent fooling this afternoon. I am not one of those who object to see hon. Members amuse themselves at the proper time and in the proper place, but this

is not, in my opinion, a proper opportunity for spending time in jocular observations, or for passing a Motion of this kind with the connivance of the Government for the purpose of going fooling elsewhere. We are sent here for serious business; and yet, whilst last night we had to discuss the affairs of the Empire to empty Benches, to-night the House is crowded to listen to the jokes of the hon. Members for Cockermouth (Sir W. Lawson) and Northampton (Mr. Labouchere). We are about to enter on the discussion of one of the most important matters affecting the people of this country, namely, the Education Vote, and I shall be interested to see how many hon. Members on that side of the House will remain here to consider it. Gentlemen opposite have been proclaiming that they are the most zealous advocates of temperance, and I would remind them that to-morrow the first order on the Paper relates to a temperance measure, in which the constituencies take the most lively interest. Are we going to have any declaration from the Government for or against the Motion for Adjournment? If they are going to vote for it, I should like to know with what face they can continue their rampage throughout the country against us on the allegation that we are blocking business. If they vote for the Motion, they will deliberately place themselves in a position in which they can never again raise any cry of obstruction against us. If the Government refuse to give any sign as to what course they propose to take, I think the most decent thing they can do will be to walk out of the House.

(7.6.) **MR. T. FRY** (Darlington): I wish to move an Amendment, in order to test the sincerity of the Government in reference to the charge of waste of time. It is to leave out all the words after the word "that," in order to add "to-morrow Government business have precedence over all other orders of the day."

**MR. M'LAREN** (Cheshire, Crewe): I beg to second that Amendment.

\***MR. SPEAKER**: Order, order! The Amendment is out of order, as it is not relevant to the matter before the House.

(7.8.) **DR. TANNER** (Cork Co., Mid): I rise with great diffidence after listening to all the speeches which have



been made, and I must express my sincere regret at the time which has been lost this afternoon, and the time which is proposed to be lost if this Resolution is adopted. What is proposed is that to-morrow, which ought to be placed at the disposal of private Members, should be given up to the study of horse racing. We have heard a great deal about horse racing this afternoon, but not a word has proceeded from the Members of Her Majesty's Government, who are now sitting on the Front Bench like a series of figures in the Chamber of Horrors at Madame Tussauds. The Government should certainly express some opinion on the Motion, and I think that some Member on the Front Opposition Bench might also express some opinion regarding it. I wish to ask Members opposite whether they prefer horse racing to doing the business of the country. Let the country judge between us. I certainly hope the Government and their supporters will be very properly condemned for their action in this matter, and for the general indifference they have displayed when matters of urgent public importance have come up for consideration in Committee of Supply. No doubt this evening we shall have an opportunity of seeing whether the supporters of the Government are in earnest, whether they care more for horse racing, for fooling, for amusement than for doing what they are sent to this House to do, namely, to attend to the business of the country.

(7.11.) The House divided:—Aye 160; Noes 133.—(Div. List, No. 115.) s

### ORDERS OF THE DAY.

#### SUPPLY—EDUCATION ESTIMATES.

Considered in Committee.

(In the Committee.)

#### CLASS IV.—EDUCATION, SCIENCE, AND ART.

Motion made, and Question proposed,

"That a sum, not exceeding £2,182,224, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1891, for Public Education in England and Wales, including Expenses of the Education Office in London."

*Dr. Tanner*

\* (7.22.) THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I am sure that I need scarcely ask for the attention of the Committee while I perform the three-fold task, first of moving the Educational Estimates for the current financial year; secondly, of giving some account of our stewardship at the Education Office in Whitehall, and reporting the progress we have made during the school year ending August 31, 1889; and thirdly, of giving in some detail an explanation of the New Code. In performing that task I do not propose to waste time in making any preliminary statement. Hon. Members are aware that increased attention has, during the last few years, been directed in this country to educational matters, and that that attention has been, as it were, focussed by the recent Report of the Royal Commission. It is perfectly true that although in the Estimates we shall be able to show that within the last few years there has been a gradual and a steady progress all along the line, yet both within and without the walls of this House there has been a growing dissatisfaction with the existing state of things. Now, what are our proposals, and what is the basis upon which we rest them? It is impossible for anyone to study the position of elementary education to-day, compared with what it was a few years ago, without coming to the conclusion that although we have attained a vast degree of efficiency in our national system of education, there is below the high-water mark of efficiency a vast number of schools which do not do us credit, and which, in fact, ought not to exist at all as they now are. What has been the chief basis upon which we have proposed to proceed in making the changes we have brought about? In what we have done, we have sought to raise the level of the weak schools, and thus to make our elementary schools more generally efficient. In dealing with this subject we were confronted with various difficulties, and one of the very first of them that met us was that of the qualification of our existing staff of teachers, and especially of our pupil teachers. That is a question of primary importance, and it is one of the first with which we had to deal in framing our New Code. Of course, in saying that, I must by no

means be supposed to intend to cast a slur upon our present staff of teachers. I do not stand here as an advocate of the claims of the teachers. The teachers' record for the last 20 years is a great record. It is a record of continual improvement, not only as regards the general work they have done, but in the constant increase in the number of children in Standard IV. and upwards, and in the ratio that number bears to the number of children in the school. I should like to show by what means we propose to improve upon the existing Code, and what is the two-fold object we have in view. First, we deal with a fundamental part of the Code, the pupil teacher system. It has been advocated by many that the pupil teacher system should be abolished. We propose to strengthen the system as it exists. We propose to deal with pupil teachers by improving their training and, above all, by affording opportunities to leave their profession to all who are likely to fail as teachers. In this we are following the lines of the recommendation of the Royal Commission. Article 34 of the new Code lays down that

"The managers are bound to see that the pupil teacher is properly instructed during the engagement, and the Department if satisfied that this duty is neglected may decline to recognise any pupil teachers as members of the staff of a school under the same managers."

This throws upon managers the onus of giving efficient instruction to pupil teachers. In Article 41 we strengthen the successive tests to be applied to pupil teachers before the end of their term of engagement. It is laid down that the final examination of pupil teachers will be the Queen's scholarship examination, while they will have to produce the same certificates as under the old Code. Article 41 (g) is most important; it provides that

"When a pupil teacher of the first, second, or third year is reported by the Inspector to have failed, the papers will be further revised in the Department before the result is communicated to the managers."

This will enable the Department to carry out the principle that these young people are not to continue to overburden the profession if they are unfit for it by allowing them to seek some other calling for which they are more fitted. Articles 47 and 48 improve the machinery of

training, and Article 48 (d) lays down that

"Candidates who fail twice to pass the Queen's scholarship examination may not be again examined."

Article 52 provides that pupil teachers who have obtained a place in the first class in the Queen's scholarship examination may be recognised as "provisionally certificated teachers," to whom, however, no certificate is issued. Here, again, we raise the standard of efficiency for provisionally certificated teachers, and put a much stronger test upon them. I call special attention to these details, because they are of the utmost importance. What we are anxious to do is gradually and surely to improve the standard of excellence in the teaching profession, beginning at the very foundation. We are anxious to secure that all aspiring to follow teaching as a profession shall be put through much more severe tests, and we further wish to prevent the profession from being overburdened by a number of teachers who are not likely to do credit to themselves or service to the State. On the same lines we propose to apply much more severe tests to certificated teachers. By Article 55—

"Candidates for certificates must be examined twice, and must undergo probation by actual service in school; "

but teachers above 20 who are now employed will not be affected, and ample notice is given to all others. It may here be convenient to state that these changes are, one and all, prospective; we do not wish to give the least shadow of excuse for a grievance to any existing teacher or pupil teacher. In no sense are these changes intended to be retrospective in their operation. By Article 61 we again raise the standard of the test to be applied by providing that after the 1st of January, 1891, teachers will not be permitted to superintend pupil teachers unless they have in the examination in second year's papers been placed in the first or second division. By Article 62 we give another chance to teachers to be examined again for the qualification to superintend pupil teachers; and by Article 63 we require that, in order to obtain a parchment certificate, a teacher must, after passing the examination in second year's papers, obtain, while continuously engaged in

one and the same school, two favourable Reports from an Inspector at two consecutive annual visits. One important change is that we do away altogether with written endorsements on certificates; we make no distinctions between them; we do not classify them; and the only distinction which will hereafter exist will be the right or otherwise to have the superintendence of pupil teachers. In dwelling upon these details my object is to show that, while we propose a vast change in our educational system, and ask Parliament to spend a much larger sum upon elementary education, so far as we are concerned, we are determined to begin our improvements at the very foundation of our system by raising the qualifications of teachers, and through them and by other means we give an increased impetus to our educational system. From this question of teachers I proceed to the most important and what I may call the vital change we make in the method of assessing grants. Here, again, we proceed upon lines which have been broadly and generally laid down by the Royal Commission. They recommended a fixed grant of 10s. We go further, and are more liberal. We propose to do away with the existing percentage grant, the old merit grant, and the old fixed grant, and to establish a fixed grant of 12s. 6d. or 14s. The principle on which the change will be worked will be this: that in future the grant will be paid only to an efficient school; and the conditions of efficiency are laid down in Articles 86, 98, and 101. If the conditions laid down are not fulfilled the Inspector must report that the school is inefficient, and the Department will issue a warning that, if improvement is not made, and if the school does not come up to the standard at the next examination, the school will be struck off the list. On the second adverse report 14 days will be allowed the managers to appeal: the matter will then be referred to the Chief Inspector; and then the school will be finally struck off the list, if the report is still adverse. The next question is, What are the steps to be taken to avoid this catastrophe? Here, I admit, lies the real gist of our scheme; if in this regard it breaks down, I admit that the catastrophe will be great, and also that an enormous responsibility will

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rest on those who advocate these reforms, and on those who are charged with the duty of carrying them out. We propose to enable these schools to attain to efficiency by a twofold process. We propose to improve the quality of the teaching staff, and at the same time to afford facilities to unfit teachers to withdraw from the profession. We also propose, by fixed grants and by freedom of classification, to tempt school managers to take a wider curriculum by introducing class subjects, and to add to and to improve the teaching staff for this purpose. There is one other fixed grant of 1s. or 1s. 6d. for discipline and organisation, and we put this fixed grant on precisely the same basis as the first grant. If any school should fail to obtain this grant it would be liable to be struck off the list. This grant will throw a further responsibility on managers, teachers, and all concerned. It will not be given to any extent, with reference to the teaching in elementary subjects; and as to discipline and organisation, the whole state of the school will come under the purview of the Inspector. There must be evidence of good moral teaching, and the school must be well found. How will the application of this grant affect schools in general? There are a large number of schools now obtaining 90 per cent. of passes which, under the new system, will not actually be monetary gainers by these changes. But there are other changes by which they will be gainers, and I think that under this new grant, and under the new method of assessing it, every school in England and Wales will be enabled to come up, at all events, to the maximum of the 17s. 6d. limit. Article 105 of the Code is of very great importance. It is the Article which deals with the small rural schools. As the Royal Commission pointed out, it is impossible for these schools to attain anything like efficiency in their present financial condition. We have taken the advice of the Royal Commission, and to all schools situated in a school district of which the population is below 500 we propose to give an extra grant of £10 per annum. This represents a very considerable sum, as our estimate of the number of such schools is 4,500. So that if each and all of these accept our challenge and come under the regulations under which we

assess the grants we shall on this account ask for £45,000 per annum.

**MR. MUNDELLA** (Sheffield, Brightside): Can the right hon. Gentleman say what is the average attendance in these schools?

**\*SIR W. HART DYKE**: I have not the figures before me just now, but the right hon. Gentleman shall have them. Besides this lump sum which we propose to give, these schools will be able to earn a larger grant by becoming more efficient, and they will be able also to earn extra grants for efficiency in drawing and manual instruction. We are dealing in no niggardly spirit with these schools, and the question at once arises, "How are you going to secure their efficiency?" We hope that they will have an improved staff, and in Article 105 we press upon them the necessity of further staff enlargements. We incur a great responsibility in giving this money; but I think that we shall be able to bring such pressure to bear upon the managers and teachers as to make the schools quite efficient. As far as the Department is concerned, it is determined so to handle these schools as to bring them gradually and surely into line with the rest in the country. As to the question of the abolition of payment by results, there is much in the late system which has met with universal condemnation. It is, no doubt, true that the changes which we propose will give enormous relief to the teachers, and while they are not alone to be considered, yet education must advance with much longer and surer strides when we have a willing and contented profession. We are told that this new grant of 12s. 6d. is nothing but a merit grant in a new form; but I deny this. It will be worked by the Department as a fixed grant essentially. And if we have another grant of 14s., it is because we do not wish to reduce all schools to one dead level. In Article 92 (power to warn instead of withholding grants), the words "or a portion of the grant" occur. These words were not inserted in any sense to weaken the system under which this grant is to be assessed. They are merely to meet some emergency or some possible case where the managers have failed to comply with some minor requirement, and the Department does not feel justified in sweeping away the grant altogether.

But it will be the essence of the new principle that the schools will know what their financial means are exactly. We hope that the result of these changes in the administration of the assessment will be to bring relief all round. The managers and teachers will no longer feel bound by the old system of a monetary payment per head of the scholars. The Inspectors, we hope, will find that these reforms take away the drudgery of their work, and give them more time for chance inspections, enabling them to divide their time more in accordance with the requirements of the different schools. Then, as to freedom of classification, it is said that, according to the words of the Instruction, we propose to give a benefit with one hand and to take it away with the other. The words to which I refer are in paragraph 14 of Instructions to Inspectors. They have given a false impression abroad, and therefore we shall issue a Circular distinctly laying down the views of the Department. Under the present system the teacher may be induced to keep children in a particular standard longer than is desirable. This will be remedied under the new system. But we must take care that the privilege is not abused in its use, and we must therefore reserve to the Inspectors this right—that where the freedom of classification has been abused to the injury of schools they shall have the right to step in and stop it. There is another matter to which considerable reference has been made. We have resolved that recitation shall be retained, as from all the information we have been able to gather we find it would have a very adverse effect on the schools if you did away with the teaching of recitation. The Royal Commission strongly recommended that the children should have the advantage of learning by heart, and one of our Inspectors (Mr. Coward) speaks of recitation as a most valuable addition to the school curriculum.

"I was glad to see it made uniformly compulsory in the Code last year, because it affords the children an opportunity of storing up their minds with valuable information."

I come now to a very important part of our Code, namely, that relating to the school curriculum. It is true that we do not make much alteration in the curri-

culum as regards obligatory subjects, but we propose to make considerable changes with regard to class and extra subjects. In this matter, although I at one time held a different view, we have decided to adopt the recommendation of the Royal Commission, and offer all elementary schools a large range of alternative courses in class subjects. I have already alluded to the extra time which will be afforded, and I trust one of the first advantages of that will be a large extension of the class and extra subjects as part of our elementary school system. We hope further, by means of this extended curriculum, to make school life more attractive and to abolish cram. We hope to popularise our schools and to make them more attractive places altogether than they are at present. We also hope by this extended curriculum to supply scholars with a special form of knowledge which will be useful to them in their own localities and at their own doors. We offer a complete syllabus for elementary science and another for history, while with regard to English we give five courses. In geography we give one original course and two alternative courses. In elementary science in Class "D" there are introduced into the curriculum important changes in regard to agricultural teaching. I consider that this question of agricultural teaching in our schools is one which has been far too long neglected in the rural districts, and that the changes we have made will tend to popularise this class of instruction. I have detailed to the Committee the generous and liberal manner in which Parliament is to be asked to consent to our dealing with this matter. I know that grave responsibility rests with the Department, but I fully accept it, and I hope we shall be able to find some means of inducing school managers to consent to teach these class subjects. I believe the new system we are promulgating will be found generally acceptable, and I trust that in time the effect will be seen of the liberal grants we offer. In regard to teaching cookery to girls, I may mention that in consequence of our exertions the girls who learned cookery in 1889 showed an increase of 36 per cent. in that year, and that being the case I see no reason why, with a more complete system, the

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increase another year should not be 50 per cent. We all know how desirable it is in the present state of agriculture that children should be taught matters relating to agriculture. They ought to learn many things about plant and insect life. I live in a fruit-growing district, where we have been subject to the most fearful devastation by caterpillars. At one time growers put it all down to the influence of the East wind; but now they have discovered that it was due to the ravages of insects, and hon. Members who pass through a fruit plantation will notice a belt of glutinous substance around the trees, which insects cannot pass over. With regard to specific subjects, if hon. Members will turn to Article 15, they will find that considerable changes have been made. It will be found that the Government have met the demand which has been made on them by the Welsh Members, and have given facilities for bi-lingual teaching in Welsh schools for the special purpose of relieving them of disabilities which undoubtedly existed, and which deprived their scholars of the same chances of success as children in English schools. Then we have introduced for the first time the teaching of German and shorthand, which may be said to apply to commercial education. Bookkeeping and physical training are also introduced for the first time, and navigation has also been introduced. With regard to cookery, it has been arranged that an Inspectress shall be appointed for this subject. In the evening schools a shorter number of hours will be allowed for teaching cookery, and for the first time, again, the teaching of laundry work will be introduced into the elementary schools. I have no doubt that those subjects of cookery and laundry work will prove very popular; they are most important matters, and will most beneficially affect the comfort of the whole of the working population of the country. Another matter of importance is that of the compulsory teaching of drawing and manual instruction. Many fears have been expressed with reference to this point, but it is not intended to make drawing compulsory at once; it can scarcely be done, and the process must be gradual. During the last two years,

and since the last change was made, great progress had been made with regard to the teaching of drawing. In the year ending March, 1889, drawing was taught in 3,700 schools to 845,000 children, while in the year ending 1890 it was taught in 4,466 schools to 1,019,000 children, which showed a considerable advance. During the last two months, also, 233 schools have been added to the list. As I have stated, it is not intended to make the teaching of drawing compulsory at once; but I can assure hon. Members that the Department are very earnest in the matter, and it is hoped that before many years have passed there will be very few schools in which drawing is not taught. Something like agreement has now been come to as to the opinion that drawing and manual instruction shall be combined. I think it would be wrong to introduce a compulsory system in regard to such a matter. In this connection I should like to quote the recommendations of the late Commission on Technical Education with regard to manual instruction and drawing. In the first place, it is recommended that manual instruction should be given as far as possible out of school hours. With regard to that we think it right to agree to this, I do not say in all cases, but in some at all events. The Commissioners then say:—

“Whenever more attention shall be given to drawing, and especially to mechanical drawing, in the ordinary and higher elementary schools, it will be proper and desirable that the manual work should be executed from drawings prepared by the children themselves.”

That system we propose to proceed upon on starting; we wish to test it. Some people scoff at this system of teaching; but it is one of great importance, and our object in making these new departures is to cultivate the general intelligence of the child. In regard to manual instruction, then, we propose to ally it with drawing as much as possible, and to give opportunities to our scholars to enable them to draw from the solid. We also now propose to give a grant for manual instruction. We think it important that a grant should be given for it, and I think we shall give it on some system which will nearly approach half the cost. That grant will be outside the 17s. 6d. limit, and on precisely the same system as the present grant from the

Science and Art Department. Before I leave the proposals which I am now making to the Committee, I should like to remark that they practically carry us into smooth water with regard to technical education, for I venture to urge that, practically, these proposals, coupled with our Act of last Session, will develop until they cover the whole ground of technical education. In respect to evening schools, there, again, we propose to make a great change. Not only Bills that have been laid on the Table of the House, but also discussions that we have had, go to show that in this House there is complete unanimity with reference to evening continuation schools; and when I state that we propose practically to establish such schools, I presume that not a single hon. Member will vote against the proposal. There can be no question, then, that this proposal meets with universal approval. Some of the Inspectors have expressed their opinions on this matter. Mr. Coward, whom I have previously quoted on another important matter, says—

“I come now to the subject of evening schools. I regret that I have no statistics to offer for the division to indicate what progress (if any) is being made. Not much, I fancy, from the little information that has reached me. These schools are the continuation schools of the day, and any large development of such schools must, it seems to me, spring from the extension and organisation of the evening school system.”

Mr. Sharpe says—

“The recreative evening classes have been successful both in creating interest and higher instruction; but they can avail themselves only to a very limited extent of the benefits of inspection, owing to the necessity under the present Code of presenting all the scholars in the three R's before they can be presented in any other subject. The chief demand in these classes appears to be for bookkeeping, shorthand, and French, and for any subject that may be useful in the scholar's line of life.”

We propose to do away with the limitation which is here referred to. We propose, it is true, to put a certain test to every scholar, and there, I hope, I shall be upheld by the general opinion of hon. Members that it is absurd to establish continuation schools for scholars who are not grounded in elementary matters. I will not go at any length into this subject, but it is one which goes to the very heart of our social system; and, when we come to discuss the question in

a practical way, it is surprising to see how sleepy and how backward we have been in this respect, in spending millions upon education *minus* these continuation schools. Worse than all, the lad who is injured most under the present system is very often the sharpest; the one who has passed the standards of education the quickest. A boy of this description in a large town has often a bad chance at home, and he is pitched into the streets, with all the dangers of contamination there, during the huge gap that exists between the time that he gets through the standards and obtains occupation. We do not wish in the future with our continuation schools to shut out voluntary efforts such as those of the Recreative Evening School Society and other societies, and we think that, with proper care and inspection, we shall be able to follow out a system by which voluntary bodies who wish to carry out a proper form of amusement shall be allowed to do so as long as it is supplemented by one hour of solid work. We feel strongly that we cannot bring compulsion to bear with regard to these evening schools, and, therefore, we must make them attractive. Now, with regard to the change as to the staff, I have no doubt that it will be urged that we have not done enough; but we make a new starting point. I know that there are scarcely any good schools which are not staffed up to the requirement; but we are raising the minimum requirement, and, therefore, we hope that this improvement, though it may not satisfy all our critics, will materially raise the condition of the staff in most of our schools. With regard to day training colleges, I know that I shall be told that the recognition of only 200 students as Queen's scholars is not enough; but we propose, at all events, to add another 200 next year. With regard to this matter, I would invite free and frank discussion. It is avowedly an experiment, and is capable of expansion. I have been much pressed by Members from Lancashire and Yorkshire with regard to our present system of half-time, and many teachers have asked for more lenient treatment in this direction. There is no doubt that our half-timers have done splendid work in our schools, and I think that, in dealing with the question of technical education, there is no better

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argument than the quickness and thoroughness with which half-timers do their work, and it is because they are receiving what is really technical education at the same time. If I am asked to deal with this question, I say that I shall be prepared to do nothing which will destroy this splendid record of work done by half-timers; but there are many points which I admit may be dealt with more leniently; and the Department propose to issue a circular which I believe will give general satisfaction to teachers, and will also give assistance to the half-timers. Though I do not suggest that the new Code is perfect or incapable of improvement, I submit with confidence to the Committee that if it is put to the test its main provisions will live for many years as a benefit to the education of the future. I should now like to give a short statement of our educational work during the last year. The sum granted for expenditure for the financial year ending March 31, 1890, amounted to £3,684,339, and the sum expended was £3,684,264, showing a saving on the year's expenses of £75. That is running it very close. The sum voted for annual grants for day and evening scholars was £3,323,903, and the expenditure £3,326,328, or an excess of £2,425. This excess represents the increased grant paid per scholar of 17s. 10d., or 1½d. per head. With regard to the estimates for the year 1890-91 the figures are based upon the existing Code; therefore, of course, if the new Code comes into operation there will no doubt be a supplementary estimate in connection with that Code. The sum required under the existing Code amounts to £3,782,224, being an increase of £97,885 over last estimates. The annual grants for day and evening scholars are estimated at £3,418,366, being an increase of £94,463. This increase is accounted for by an increase of 45,000 in the average attendance, and an increase of 3½d. in the rate of the grant per day scholar. Allowance is also made for an increase of 4,230 in the average attendance at evening schools, and of 5d. in the rate of grant per scholar. This comparison is, strictly speaking, one of estimates only, because in regard to actual results a considerable discrepancy is shown. In the day schools





when I look to the liberality, not only of voluntary, but Board schools, I have hopes that under our new system we shall be able to make our school life more popular and attractive, and so to fill up the large gaps which now exist in the numbers who ought to be in regular attendance. I should like to give a few figures with reference to the cost of maintenance per scholar in average attendance. In the Board schools the cost was £2 4s. 6½d., as against £2 4s. 7½d. in the previous year, a decrease of 1d.; and in the voluntary schools £1 16s. 4d., as compared with £1 16s. 4½d. in the previous year, a decrease of ½d. In the Board schools outside London the cost was £1 19s. 7½d., as against £1 19s. 8d., a decrease of ½d., and in the voluntary schools £1 15s. 9½d., as compared with £1 15s. 8½d. in the previous year, an increase of 1d. In the Metropolitan Board schools the cost was £2 19s. 8½d., as against £3 0s. 6½d., and in the Metropolitan voluntary schools £2 3s. 7½d., as compared with £2 4s. 1½d. in the previous year. And now, in conclusion, I have only to plead for the proposals I have placed before the Committee that consideration which the importance of the subject deserves, and although when next Session arrives we may find ourselves in regard to this great question perhaps in troubled waters, for pity's sake let us, while we are in smooth water, endeavour to steer this ship safe into harbour! If hon. Members approach our proposals in a fair and candid spirit, and if they will for the present, at all events, thrust aside all Party and sectarian feeling, I believe we may be enabled to give effect to a scheme by which we shall secure a vast improvement in our educational system and raise the young lives committed to our keeping to be a God-fearing, industrious race, no unworthy citizens of a great Empire. (9.0.)

\*(9.26.) MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I do not propose to follow the right hon. Gentleman in his remarks upon the Education Estimates for the year, the interest at the present time, both inside and outside the House, to whose attention is turned educational matters, centres upon the new Code. I am quite sure that on this side there is every desire to deal with the Code in an

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impartial spirit, with an absence of Party feeling, and any criticisms offered will be made in no unfriendly spirit. I congratulate the right hon. Gentleman upon being fortunate enough to hold office at a time ripe for the introduction of this reform.

(9.27.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

\*(9.30.) MR. BUXTON: I was congratulating the right hon. Gentleman upon his patience in having waited for the time when there was a fair opportunity of introducing a thorough reform in our educational system, instead of proceeding by small instalments on different recommendations of the Royal Commission. Everyone in the House must feel that the right hon. Gentleman has done what he could to carry out what is in some ways a revolutionary reform in the educational system. This Code, I am sure, has a happier prospect than the Code of last year, because the opposition to the Code of last year has been practically bought off by certain educational concessions. In the first place, the fact that the proposals in regard to accommodation are not to be retrospective is a concession to hon. Members on the other side. The remarks of the President of the Council in another place, and of the leader of this House, with reference to the question of the 17s. 6d. limit, and the rating of voluntary schools, has given heart to those interested in the voluntary system; and they believe that, in connection with the system of assisted education, which we expect will be introduced next Session, the 17s. 6d. limitation will be removed, and thus voluntary schools will be much benefited. I objected to the motives which actuated those who opposed the Code of last year, and deplored the effect of that opposition in the withdrawal of that Code, yet the delay has had its advantages, for this Code is, in many respects, a better one than the Draft Code of last Session. It is simpler in its nature; and it strikes a heavier blow at the payment by results system, inasmuch as it provides two fixed grants instead of three. It gives greater elasticity in the curriculum; it gives teachers more freedom in classification; and, in many respects, it adds greatly to the training and efficiency of teachers. The Code we are

now discussing would, however, perhaps, be better compared with the state of things that has existed for the last 30 years than with the Code of last year, and, if that is done, it will be found that it effects what is practically a revolution in our educational system. In that portion of the Code which deals with children in infant schools, the change is not so great as some of us hoped for; it is far more a change in name than a change in nature. But in regard to the elder children, we have provision made for what, I hope, is the final abolition of the pernicious system of percentage payments, and of individual examination as the basis of the grant. Again, we understand that the pecuniary position of a school shall no longer depend on an examination upon one day. That is a very great reform indeed. The new system will give greater financial stability to the schools, and will take much worry from the teachers and all connected with schools. I cordially agree with the right hon. Gentleman that the teachers are not alone to be considered, and rejoice that while they are to receive a liberty in the school which they have not enjoyed before, the Inspectors are to recover the liberty they lost under the Code of Mr. Lowe. They are no longer to enter the schools as mere grant calculators, but are to exercise that individual judgment and responsibility of which they have so long been deprived. With the main provisions of the Code I think we shall all agree. I do not desire to criticise the Code in an unfriendly spirit, but merely in the desire to elicit information, and to see whether it cannot in some respects be improved. I think it would have been better if the right hon. Gentleman had seen his way to carry out the proposition which was practically accepted by the Government the other night, that there should be one fixed grant, to include not only elementary subjects, but class subjects as well. It would also, in my opinion, have been better if the one fixed grant had included what is called the "moral tone" of the school. I think we shall all rejoice that the right hon. Gentleman has accepted the proposition of the Commissioners that special care should be taken to direct the attention of Inspectors to the moral tone, discipline, obedience, cleanliness, truthfulness, and general character of

the children, but I confess this proposal becomes a little ridiculous when we find that a grant of 1s. is to be given for a sort of minimum moral tone, and eighteenpence for a superior moral tone in the school. It would be better, I think, to have had this included in the one fixed grant, and to let the Inspector report upon it in his General Report. If the system of a fixed grant is to prevail, it can only be carried out properly and efficiently if it is clearly understood that in the future its assessment is not to depend on the examination of one day only, but that the casual visits of the Inspectors shall form an important item in the assessment of the grants. I think that what has fallen from the right hon. Gentleman with reference to the classification of children will be accepted with great pleasure and satisfaction. I understand that a supplementary Minute is to be issued, which will clear up the ambiguity of the Instructions, and provide that teachers and managers shall have a full and absolute power of classification in their schools, as they think best, according to the ability and attainments of the children and irrespective of age. This will be of great advantage, and will prevent much of the over-pressure arising from the bad system that has hitherto prevailed. We are glad to find from the Code that managers in the future are to have a full choice of the class subjects to be taken in individual schools. From both sides of the House there have over and over again been protests against the system, which has so long prevailed in the Department, of making grammar compulsory as a first subject, and not allowing full freedom of choice to managers and teachers. I think we shall find, now that history, geography, and science may be chosen equally with grammar that these subjects will be taken, in preference to the most objectionable class subject of grammar. Recently the London School Board published the results of their inquiries among 750 departments of boys' and girls' schools as to the preference of the teachers in the matter of class subjects. In three instances only did the teachers declare a preference for grammar; while no less than 421 declared grammar to be to them the

least attractive and useful subject. Yet this is the subject the Department has been forcing down the throats of the children all these years. Again, as to the subject of manual instruction, I am glad to hear that it is proposed to give special grants to encourage that subject. The right hon. Gentleman has truly said that that will be a great step towards extending technical instruction. By far the most interesting question, however, in connection with the Code is, how will this new fixed grant work, and what will be the result of the introduction of these additional grants? I think we shall all agree that the abolition of the old system of percentages will do a great deal to humanise and improve the instruction given in our schools; and by making it more attractive, improve both the regularity and the age of attendance. But we want to be sure that while good results will follow from the reforms of the right hon. Gentleman the institution of the fixed grants, and the mode in which they are to be carried out, will not tend to lower the standard of education; that they will not be used to bolster up inefficient schools, or go to relieve the pockets of the subscribers to the voluntary schools. I have every confidence that the Department have a *bond fide* desire that the new Code should represent no retrograde step, but a step forward educationally all round. But I am sorry to say some words which fell from the President of the Council in another place the other day arouses a little suspicion of the real intention of some of those who are specially interested in educational matters. The noble Lord said he could not help thinking that the people of this country would, before long, begin to ask whether they were not paying too much for education when it was observed that a "very useful education" could be obtained for £1 16s. 6d. per head, which, in other cases, cost the country £3 10s. The noble Lord further hoped that this subject would engage the attention of both Houses of Parliament. This comparison reminds me of the wine merchant's advertisement, which offers for 36s. 6d. a dozen a champagne as sound and wholesome as that for which elsewhere we pay 70s.? But I quote these words as showing to a certain extent the tendency in the minds of those who specially

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represent the voluntary system. The right hon. Gentleman has omitted from his speech one important point affecting the whole matter. He has failed to state how these new grants will work in regard to the poorer schools; how much per head these schools will receive; and he has also omitted to give a general estimate of the amount that the new Code will probably add to our Educational Estimates. I am quite sure no Member of the House will grudge any addition to those Estimates if good educational results are obtained for the money; and I believe, after careful consideration, that the increase involved will be little short of £200,000 a year additional. If that money is voted we shall want some security that it is properly spent. The right hon. Gentleman spoke of what he called poorer schools; does he mean those schools which are in poor neighbourhoods and where the fees are low, where the inhabitants are poor and subscriptions difficult to obtain, or does he mean schools that are poor because they are badly supported by those who ought to subscribe to their maintenance; schools, in short, which, from the fact of their not being properly supported, show there is no *bond fide* demand for them? How is the right hon. Gentleman going to insist that for this additional grant of money, this additional bonus to the poorer schools, we shall receive proportionate results? How is he going to ensure that the whole of the additional money shall go to increase the efficiency of the schools, and not in substitution merely of present voluntary subscriptions? The original object of the State in aiding voluntary schools was to stimulate local effort, but, unfortunately, the result has been in an exactly opposite direction. The additional grants from the State have merely resulted to a large extent in a diminution of voluntary subscriptions. ["No, no."] I would point out to the hon. Member who disputes that assertion that the President of the Council, speaking on this very subject last year in another place, said that—

"Voluntary efforts had gone down since the 17s. 6d. limit was given, and, therefore, if funds were lavished without by means of hard and fast lines securing efficiency, the money would go to the relief of the pockets of the subscribers, and not to the efficiency of the schools."

Reference to the Blue Books will confirm the remarks of his Lordship, and will show that in the Church of England schools, while the grants have increased since the 17s. 6d. limit was introduced, the amount of voluntary subscriptions per head have at the same time greatly fallen off—the grants having increased by 4s. 10d. per head, and the fees by 9d., while the voluntary subscriptions have fallen by over 2s. per head—so that the practical result of the increased grants has been that about one-half only has gone to promote the efficiency of the schools, and the other half has gone to relieve the pockets of subscribers. We have been told that the 17s. 6d. limit is to be removed next year in connection with assisted education. The result of that state of things, in connection with this new Code, will be that, unless some stringent means are taken to prevent the new grants from going to relieve the voluntary subscriptions, those voluntary schools will in a vast number of cases become such only in name. I should not much deplore that result, because I believe that under such a system as that, the public would enter an irresistible demand for some voice in the management of the schools, if they are called upon to pay so much additional money to them. But what guarantee does the Code give that the schools will be brought up to a proper state of efficiency, and that the “vast number of schools that do not do us credit,” of which the right hon. Gentleman spoke, will be made creditable or extinguished? I ventured to urge the other night, and I repeat, that in connection with any fixed grant, such as that proposed, it is necessary that the standards of suitability and efficiency of the schools should be raised. We ought to insist also that every school shall be under a proper body of managers. I am not speaking of representative managers, but of private managers. Too many voluntary schools are at present under no managers at all; they are practically farmed out to the teacher, and though the new Code states that a school shall not be farmed out, it does not insist that there shall be a proper body of managers, or that the teacher shall not practically manage the school and be responsible for what is done in it. Then the condition precedent to such proposals as are made, and to such

a large extension of grants to schools, should be a provision upon an increased standard of suitability of building, sufficient efficiency of staff, and curriculum. It is time that a downward should be made with regard to the suitability of the buildings, as allotted to the children, and insisted on as necessary for them. It should be also insisted on for voluntary schools. As Schedule 7 in the Appendix it is stated, in reference to point, that “sanitary laws at a school as in a hospital,” the hon. Gentleman proposes to number of schools of a more character to continue over does not insist that they should be brought up to a proper state of affairs. No one wishes to insist on a certain square feet of space per child at the present limit, should be applied immediately, but I certainly think that a statement ought to be made in that direction in existing legislation. I congratulate the right hon. man on the fact that the result of his exertions will be an increase in the efficiency of individual schools. Unfortunately, the Code does little to increase the staff of teachers, and yet this was a point on which both the majority and the minority of the Royal Commission most strongly insisted. The Commission report on a considerable addition to the staff, but the right hon. Gentleman says little or nothing in his Code in connection with that recommendation. As to the question of curriculum, that, so far as optional subjects are concerned, the Code is an improvement on its predecessors. As to obligatory subjects, however, it falls far short of what is required. It includes only English, arithmetic, and drawing and needlework. Here, again, all that has been agreed that it is essential that the standards should be raised above the present level. The right hon. Gentleman says that a school should obtain the minimum of 13s. 6d., including the drawing and needlework, even if it only teaches English and drawing and needlework. It may be necessary in some rural schools, but to

minimum examinations in our ordinary schools should at the very least include one class subject. With such a low standard of efficiency, much will depend on the administration by the Department, whether schools are kept up to the mark. I have grave doubts, whether, under present auspices the Department will have the strength of mind to extinguish schools not really efficient. It is essential that if a school does not come up to the low standard fixed by the right hon. Gentleman it should not receive the grant. [Sir W. HART DYKE: Hear, hear.]

The right hon. Gentleman says "Hear, hear;" but I am afraid he will find it is not quite so easy as he expects—at all events, as long as he sits on those Benches, and the same hon. Members sit behind him. It would be a different thing altogether if some right hon. Gentleman now on the Front Opposition Bench were sitting on that side. Appeals will be made to the right hon. Gentleman *ad misericordiam*; and it will be strongly urged upon him, that if particular schools are extinguished their places will be taken by the hated Board schools, and it will require great strength of mind on his part to resist these appeals. The right hon. Gentleman cannot do everything at once; but I think we may give him fair warning that, as far as we are concerned, we shall not be content to allow continued overcrowding, continued under-staffing, and a miserable and stunted curriculum. I congratulate the right hon. Gentleman on the Code, which I believe will do much for education. Although I think it is in some respects inadequate, I desire to give the right hon. Gentleman full credit for having done more for our elementary education than any Minister, with the exception, perhaps, of Mr. Forster, and I hope the right hon. Gentleman will continue in the course he has so well begun.

\*(10.8.) SIR R. TEMPLE (Worcestershire, Evesham): I desire to join in the congratulations to the Vice President of the Council on the able and satisfactory statement which he has made. I am certainly about to offer a few criticisms upon the new Code. Indeed, it is hardly of any use for independent Members to be here unless they criticise. But still I shall imitate the example of the hon.

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Gentleman who has just sat down, in approaching the Code in the most friendly spirit. I cordially acknowledge that it has already attained great popularity in educational circles. I desire at the outset to acknowledge the popular improvements in regard to evening classes, manual and technical instruction, the relaxation of several conditions, which in the last Code alarmed the voluntary schools, the improvement in respect of pupil teachers, the division of schools into two classes, efficient and non-efficient, the comprehensive provision which is entrusted to the Inspectors under the head of discipline, the singular privileges granted to poor country schools—and to rural schools in constituencies such as that which I represent—and the benefits conferred by Articles 102 to 105 of the Code, which will long be considered as embodying the Magna Charta of those schools, the grant for practical science outside the 17s. 6d. limit, and the relief all round to pupils, teachers, and managers. Lastly, of course, I acknowledge the progress, I might almost say the giant strides, which have been made by my right hon. Friend for the attainment of those two objects which are nearest and dearest to the hearts of all educationalists, namely, the abolition of payment by results (by individual examination), and the entire freedom of classification. I admit my right hon. Friend has gone far in that direction, though I cannot say, as a practical man, that he has gone far enough or reached the goal which he apparently hopes he will attain. I have heard it said by some educationalists that under a strict system of administration the collar might be kept almost as tight on the neck of the schools with respect to payment by results by the new Code as by the old. That is certainly an exaggerated expression, but we who are engaged in the work and wear the shoe know where the pinch is. With respect to what the hon. Member for Poplar said as to there being danger lest the advantages conferred on voluntary schools should be made use of for the purpose of saving the pockets of subscribers, I should answer in general terms that all such abuse is guarded against by the functions entrusted to Her Majesty's Inspectors. Everything will depend upon the Inspector's Report. He is

bound to see that the bounty of the State is properly used. If the Report is unfavourable it will carry grave consequences to the school. Undoubtedly the system which is now inaugurated by my right hon. Friend does impose responsibilities on Inspectors, but they are thoroughly well able to bear that burden. I now approach the two subjects I wish to criticise. First, as to payment by results. The schools will be by the new Code divided into grades according to merit. In infant schools there will be two such grades. Even with the discipline grant there will be two grades. So with the 12s. 6d. and 14s. grants, there are virtually two grades of day schools for elementary subjects. This tends to individual examination to determine the grades, and this tendency is strengthened by paragraph 12 of the Instructions to Inspectors. Then paragraph 23 of the Instructions regarding arithmetic amounts to individual examination. There are to be separate grants for class subjects, needle work, and singing, but all the various grades and such grants must necessitate a great deal of individual examination. I do not think they will necessitate such examination all round, but they will cause a great deal of it, and, to a considerable extent, keep up the system of examination which my right hon. Friend has very properly denounced this afternoon. I need not now labour this point, having recently (9th May) addressed the House fully on this subject. But, as regards examination, I desire it to be understood that there is no fear on the part of educationalists of examination as such. We quite understand that there must be examination occasionally and casually of scholars, according to circumstances. It is the individual examination all round, as a test for the grant, that we so strongly deprecate. We desire that the Inspector should see the teacher examine the scholars. We have no fear so long as they are examined in the subjects which they have been taught, and by a person who understands the teaching. Of course, any scholar is liable to be examined, and the knowledge of this liability has a wholesome effect. As regards this point, I need scarcely advert to Article 92, which says that a

portion of the grant may be withheld. That has been admitted by my right hon. Friend to be open to objection. Why? It is open to this objection, that the grant may be withheld from the very school that needs it most, that an inefficient school will be rendered permanently inefficient by having its grant partially taken away. Such a school should receive the grant in full, so that it may have the financial means of rendering itself efficient; otherwise its inefficiency will be established. We wish to make schools efficient by giving them the means to render themselves so under the penalty of being extinguished if they fail. Secondly, I desire to offer a few remarks upon the question of freedom of classification. That is a subject upon which educationalists feel the gravest anxiety. I admit that very much has been done in this direction by the new Code, but not nearly enough. Article 101 of the new Code has two clauses, each one of which prescribes that every student must be advanced one standard per annum. That destroys all freedom of classification. There will be no such thing as freedom of classification so long as those two clauses remain in the Code. What is the cause of the commonly-observed phenomenon that in every class certain scholars are below the mark? It is because they were of necessity advanced into the standard. Children cannot earn the grant two years running in the same standard, and the consequence is, they are made to go on from standard to standard year by year. For the same reason every class has some scholars above the mark, who might have been pushed on had it not been for the one-standard-per-annum-system. This I submitted to the House in my speech of 9th May, showing that in every class one quarter is above and one quarter below the mark, leaving only the remaining half at the average level. The same tendency exists in the new Code. Such, also, is the effect of paragraph 5 of the Instructions. That paragraph relates to backward children being kept in the class where they are. If they are so kept grave reasons must be stated and recorded. That, of course, is a check upon the teacher. He has to show the reasons to the Inspectors, who may, or may not, approve, and the consequence

is the teacher will hesitate to adopt the system. Again, paragraph 14 of the Instructions relates to separate classifications of scholars for examination in different subjects. It is stated that such cases must be very rare. That clearly indicates to the teachers that they are not to adopt this plan unreservedly. I understand my right hon. Friend will issue some Circular explaining the point. I suggest that the simplest and the shortest course would be to omit this objectionable paragraph. Whether my right hon. Friend is or is not able to modify the Code as regards the payment by results on examination, I earnestly entreat him to look favourably upon the suggestions we made with respect to the freedom of classification. If he will do something more in this Code in this respect he will earn additional gratitude. We hope the right hon. Gentleman will see his way to simplify the grants still further, to amalgamate the 12s. 6d. and the 14s. grants, and the disciplinary grant, and the grant for class subjects, needle work, and singing, all into one grant, and then entrust the rest to that most trustworthy class of men, Her Majesty's Inspectors. That is the goal at which we, who are engaged in educational work, aim, so that we shall not have individual examination all round in any subject except the specific subjects which are beyond the elementary subjects, beyond all class subjects, relating only, as they do, to special branches of literature, languages, science, and art. But if that cannot be done I entreat my right hon. Friend to do what little he can, even at this eleventh hour, to make the boon of freedom of classification absolute, unconditional, and complete, and so earn the gratitude of all men who are doing the work of education in this country. I need not dwell on the desirability of the School Accounts being subject to public audit without being published. But I ought to say a few words upon the question of trained and untrained teachers. It will be in the recollection of the Committee that Articles 31 and 73 in the Code recognise a difference between these two classes of teachers. In the first place, Article 31 speaks of two categories, trained and untrained, and Article 73 makes a trained teacher count

*Sir R. Temple*

for 70 scholars, and an untrained teacher for 60 scholars. This distinction is grievously felt by a very large and important and experienced class of teachers who are called untrained. Moreover, the retention of this nomenclature is felt to be most unfair to the untrained teachers. What does it really mean? One would suppose that there is some grave distinction between the two classes, but this is not the case. The distinction is of a very narrow and technical character. A trained teacher is one who has been through a training college, while an untrained teacher is one who has been trained outside the colleges. But the so-called untrained teacher has passed the same examinations and has obtained the same certificate, and perhaps has had larger and longer experience than the so-called trained teacher. The reason for there being untrained teachers is that we have not had training colleges for all the candidates. We still have not enough. I reckon that about 2,500 teachers are required every year to fill up the gaps in our national service of education, but the training colleges can only turn out 1,500 annually. That leaves a residue of 1,000. The difficulty was far greater in former years. Considering that our untrained teachers are often untrained through no fault of their own, considering that they have the same qualifications, the same examinations, and as long, if not longer, experience, I say it is not quite fair to them to perpetuate this invidious distinction, especially as it is marked by words which will carry an unfavourable impression outside. We ought to abolish the terms trained and untrained and substitute something else. But, at all events, it is very hard upon managers that a trained teacher, perhaps a young man fresh from college, should count for 70 scholars, while an untrained man, who perhaps has done yeoman educational work, should count for 60 only. I am extremely obliged to the Committee for having listened to the criticisms I have felt it my duty to make. There are some verbal Amendments standing in my name which would give full effect to the Resolution I had the honour to submit to the House the other day, and which, in general terms, my right hon. Friend accepted. Whether I really propose those Amendments depends upon

whether I am able to obtain some concessions from my right hon. Friend. But as I resume my seat I ought to notice the allusions my right hon. Friend made to the school maintenance charges under the School Board for London. Of course, I, for one, quite admit that they are too high, and so I declared in my recent Financial Report to the Board. Nobody is better aware than I am of the great strides which have been made in educational progress, but when we recollect what Mr. Forster said as to the school rate I think we must consider the present expenditure as going beyond the limits which the ratepayers had a right to anticipate. How long this annual progress of educational taxation will be continued and tolerated I cannot say, for that is a question for those who elect the Board, but I must add that although the expenses are high the efficiency is high also. I can only express my admiration of the truly magnificent work which has been done as at least being a return in part for the expenses which are incurred.

(10.34.) **SIR H. E. ROSCOE** (Manchester, S.): I desire to express satisfaction and to thank the Vice President of the Council for having for the first time carried out some of the recommendations of the Royal Commission on Technical Education, on which I had the honour to serve, and I wish to assure the right hon. Gentleman that we welcome his proposals to give a grant for manual instruction. That does not appear in the Code, but we have learned with great satisfaction that the grant will be made for this most important new form of hand and eye training. I am also particularly pleased to find that the right hon. Gentleman has taken to heart the recommendation of the Commission that drawing and manual instruction should go together. We have now in this Code laid that foundation for technical instruction which many of us have been, for some time, hoping might be laid, and I must congratulate the right hon. Gentleman most heartily on having accomplished so much. It appears that drawing is not to be made compulsory in all classes, but it is very important to know what are the instructions given to the Inspectors as to the exceptions to drawing in elementary schools. It is

gratifying to find that already great progress has been made in the direction of technical instruction in the larger towns, and I am sure we may look forward with great hope to increased progress in this matter. Of the importance of the introduction of elementary science the Committee is well aware, and in the present Code the Vice President has done much to assist the teaching of elementary science, which at present may almost be said to be dead in the country, for, while many thousands of schools take up geographical subjects, I am ashamed to say that only a score of schools deal with elementary science. We, however, wish to see a step further in this direction, namely, that no school shall be considered efficient which does not provide in the three first standards for a graduated scheme of object lessons. This is not insisted upon in the Code, but we shall never lay a firm foundation for teaching technical subjects until we have made object lessons compulsory as a continuation of the Kindergarten instruction, which is given now and with which everybody is so well pleased. Such a course has been again and again urged by the Technical Commission as well as by the Royal Commission on Elementary Education, and there is no reason why it should not be insisted upon. But while acknowledging that much has been done and that much progress has been made, I am bound to say that some of the alternative courses proposed are not satisfactory. In my opinion, the specialisation of science subjects should not be made in the first four standards, for it seems impossible that children even in the Third Standard can begin to study such subjects as light, heat, magnetism, or electricity. It would be much better to have a general course of object lessons, including simple facts and principles chosen from several branches of science. That would do more to instruct and amuse the children than specialisation at an earlier period. It is time enough to specialise when we get to the Fourth Standard. May we not ask for some alteration in the Schedule in this respect? Surely some alternative course might be provided? In the recommendations of the Royal Commission on Technical Education it is pointed out that science instruction may properly be



encouraged by an additional grant. It is more expensive and more difficult to teach than ordinary subjects, and if some increased amount could be given in those schools in which elementary science is taught, we should see this most important subject established on a proper footing. With regard to science teaching, I see in Article 35 provision is made for assistance to the Inspectors in framing questions and marking the answers in examination, but no provision is made for assistance in oral examinations, which, in the earlier standards, are better than examination by paper. I do trust the right hon. Gentleman will consider the desirability of giving such assistance. As to the question of training teachers, we all welcome the proposal to permit the existence of day training colleges, and I think it would be well that they should be attached to institutions of repute, where the teachers may be brought into contact with men of high culture. A wise step is, it seems to me, about to be taken, but admittedly it is only an experiment, and I regret that it is so limited. And there is another important point with regard to the training of teachers. The third year is the year in which the most progress is usually made by the student, and yet I cannot find that any grant is to be made for that year.

\*SIR W. HART DYKE: That point is under consideration.

SIR H. ROSCOE: I desire to again offer my congratulations to the right hon. Gentleman in this most important improvement which the Code introduces into elementary education. I believe it may be said to mark an era in the educational progress of the country. In view of the fact that an extra amount will have to be given to these schools, I would urge upon the Vice President the importance of their being made efficient, for that is the whole gist of the question, and I trust we may rely on his taking care that efficiency is secured.

(10.45.) MR. F. S. POWELL (Wigan): I have devoted many years of my life to the subject of education, and I therefore feel bound to take part in this Debate. I desire, in the first place, to acknowledge in the fullest and most ample manner the consideration given by the Government to the suggestions made

*Sir H. E. Roscoe*

in connection with the Code of last year by those interested in voluntary schools. I believe that in consequence of these suggestions the Code has been greatly amended, and the cause of national education has been advanced in this as in many other particulars. It has been shown that the friends of voluntary schools were acting in accord with the true interest of national education. There is also a greater identity of sentiment and of feeling between the recommendations of the Royal Commission and the Code of this year than was to be found by comparison of last year's Code with these recommendations. With reference to what has been said by the hon. Member for Poplar as to the diminution of contributions to voluntary schools being in proportion to the increase of the grant, I last year quoted some figures on that point, which showed that, although for a short time there had been a diminution, yet it had been followed by an increase. The right hon. Gentleman the Member for the Brightside Division of Sheffield dissents from that, but the real facts are as I have mentioned. To be perfectly frank, I am bound to admit that the voluntary contributions for the last year for which they are published do, as compared with the preceding Returns, show a diminution to the colossal and overpowering extent of £63. Therefore that accusation is, I think, not well founded.

\*MR. SYDNEY BUXTON: The Returns of the Education Department show that the contributions per head are substantially less than they were 10 years ago.

MR. F. S. POWELL: I am speaking now of the absolute figures, and I am perfectly sure that I am accurate in my statement. Allusion has been made to a speech by Lord Cranbrook on this subject in the course of last year. Well, I do not think that that speech increased the reputation of the noble Lord as a statesman; but I am certain that it caused very great pain to the friends of the Government and to the friends of voluntary schools. Now, I feel a very great obligation to the Government for the changes they have made in this Code; but I may be allowed to express regret that while the 17s. 6d. limit has been modified with reference to country schools, it still remains as regards town

schools. In the borough which I have the honour to represent I find that in the schools in the poorer districts the grant from the under 17s. 6d. limit extends to £40, £45, or £50 a school. And I am not, on this point, appealing merely on behalf of Church of England schools; the poorer schools of all denominations are, as I say, disadvantageously affected by this limit. Now, as a Lancashire man, and as a Member for a Lancashire constituency, I am bound to say that, in my opinion, the Roman Catholic schools have done very good work in that county, and I hold we ought to remove every possible hindrance to the successful continuation of their labours. But I find that the fine upon voluntary schools, which amounted to £32,000 in 1888-9, amounted to £36,000 in 1889-90, and I hope that the Government will see their way to removing this grievous burden from these schools. Its existence is an injury to the cause of education. We have for many years impressed upon the Government the importance of laying before the House simultaneously with the Code the instructions to Inspectors. This year they have done so, and the result has been the discovery that what the Government are giving with one hand in the Code they are proposing to take away with the other hand by means of their instructions. I am glad that my right hon. Friend has promised to amend this, and I trust that on future occasions we shall always be allowed to see the instructions before the House is asked to sanction the Code. In connection with the subject of technical education, I am glad the Department are inaugurating a system by which technical colleges will be established for the higher teaching, and that only elementary teaching in technical subjects will be attempted in the lower schools. We have heard a great deal on the question of payment by results. I am glad that the obsolete system of payment by results has been abolished, but I am sure that Parliament will never grant £3,500,000 a year for educational purposes unless it is assured that the schools are efficient. What says the Report of the Royal Commission on this point? I will read it to the Committee—

“We are convinced that the distribution of the Parliamentary Grant cannot be wholly freed from its present dependence on the

results of examination without the risk of incurring graver evils than those which it is sought to cure. Nor can we believe that Parliament will long continue to make so large an annual grant as that which now appears in the Education Estimates without in some way satisfying itself that the quality of the education given justifies the expenditure.”

The friends of education must satisfy the country that they are doing good work and that the money is being well earned, or the grant of £4,000,000 will shrink to a much smaller sum, and great injury will be done to the cause of education. With regard to voluntary schools I wish to say a word. At present each voluntary school, to a large extent, stands by itself, and is dependent on its own mode of action and its own finance; but I hope that the absolute necessity for grouping voluntary schools together, so that they may co-operate in finance and give each other mutual assistance, will be seen. I also wish to allude to the question of day training colleges. I have the honour of being a member of the councils of five of these colleges, one of which is the Yorkshire College. One of the first subjects the council of that college had to consider was whether they should or should not become connected with the Department as a day training college. They desired, so far as their means would allow, to co-operate with the Government, but the question of expense came in, and they found that they would have to expend £200 a year to carry out their proportion of their duties, and that, being straitened in finance, they would have great difficulty in finding the money. Many of the principals of the training colleges made representations to the right hon. Gentleman, who, in his usual courteous way, replied somewhat in the following sense:—That it was quite useless for him to approach the Treasury with a view to increase the sum of £10 under Article 127, and that, looking to the assistance already granted to local colleges out of public funds and to the important position of the colleges, it was hardly too much to expect of their patriotism that they should make some special contribution to the scheme now before Parliament for the better training of elementary teachers. That was the answer of the right hon. Gentleman. I am not quarrelling with it. The Treasury gave considerable grants for the

purpose of carrying out higher education. The Yorkshire College received £1,400; and I feel regret that, having adjusted our finances to do our work according to the new conditions, the training colleges should be called upon to devote to elementary education money originally given for the purposes of higher education. This controversy between the Treasury and the Education Department is somewhat unfortunate, and I hope that if larger duties are imposed on these institutions, the Treasury will review the situation and enlarge the grants. Under the Code the colleges will have the examination of students, and for the first time the examinations for certificates will be conducted by a department not Governmental. In Scotland, I am informed, the training colleges are connected with the Universities, but the examinations are conducted by the professors with the aid of Inspectors. To have the examination of students at these colleges without Government superintendence is an entirely new departure on which I make no observation; but I venture to say so much as this, that it is an experiment which requires to be watched with great care, so that the examinations may be conducted in such a way as that the test for educational purposes is effectual. As to the religious teaching of the students, at present they are taught in colleges connected with some religious denomination. It is so in Scotland. I am not sure whether in all of these new colleges they will be entirely free to teach religion, but it will be an unhappy thing indeed, and a retrogression and not an advance, if religion is entirely banished from the training of those who will become, in the course of a short time, teachers of the young. My right hon. Friend has made promises which I have no doubt he will entirely fulfil, with a view to the amendment of the Code, in deference to the suggestions made. I do hope, when he considers the Amendments which he has promised, that he will have full regard to the position of the existing teachers, and that through the whole of the Code, from first to last, he will place the new burdens on those who are not yet fully qualified as teachers, and will exempt men and women of experience and knowledge who may yet not have the technical equipment rendered necessary

*Mr. F. S. Powell*

under the new arrangements. I have already spoken of drawing, and I shall say nothing more about it. I believe myself that, in all the schools of the country, drawing ought to be taught to every student. When you deal with those who have to earn their livelihood, I believe progress cannot be made without drawing, and that with drawing, you have before you a brilliant career. With regard to classification, my right hon. Friend has frankly acknowledged the discrepancy between the Code and the instruction. I do not share the opinion of the hon. Member for Evesham with regard to the entire abandonment of classification. On the contrary, I believe that the Report of the Royal Commission is sound in so far as it points out that there should be freedom of classification as a general principle, but that precautions should at the same time be taken in the Code that this freedom should not be abused. I believe that if we gave teachers freedom of classification without restraint and without superintendence, the schools would fall into confusion, and that it would be necessary for the Government in a short time to apply a stringent remedy to the evils that might arise. Great complaint has been made about the maintenance of the 8th clause. I certainly fully agree with the policy of the Government in insisting, as a general rule, on what is known as the First Standard. I believe that, except you have some standard for the young children, you will make your infant schools mere places of amusement, and you will find that, when they come to the schools where a later stage of education is entered upon, the whole work of tuition is to be begun again, to the great embarrassment and hindrance of the future progress of the children. I must make some reference to that which is known as the fixed grant. Now, I wish that the Code had been a little less inconsistent in its text as to the fixed grant, and I cannot help thinking that it bears on the face of it some marks of revision. When I come to read Article 101, with the gloss of the other Article referred to upon it, it reads thus—

“A fixed grant of 12s. 6d. is a fixed grant which may not be reduced except the Department pay a portion only, and may not be withdrawn unless it is withdrawn.”

Now, I think that that is a very poor security. But we have discussed this matter more than once, and I trust that the Article will be so amended before the Code is finally settled that no doubt can possibly exist on the subject, because we feel it to be a great hardship that in view of the promise of a fixed grant qualifications are to be found here and there in it, and that powers are given enabling the Government to reduce the grant. I venture to call the attention of my right hon. Friend and the Committee to this as a matter of actual experience, and I assert that it is utterly and absolutely impossible for every Vice President to watch the administration of all these details. They must necessarily be left to the administration of the subordinate officials. What I desire to see in this Code is that some security should be provided so that no fault of mismanagement on the part of subordinates in the administration of the system shall have the effect of taking away from the schools that boon which I feel assured the Government intend to confer. Well, I wish to make one observation in reference to sample examinations. I think that great care is necessary to make this kind of examination real, and I also think there is much justice in the claim made on behalf of the teachers that they should have the power of reducing the number of scholars by naming one-half, so that they may call together a number of scholars who are most fitted to do justice to the school. The instruction given in paragraph 13, page 6, directs the Inspector to invite the teacher to add to those selected a few of his most forward scholars, so that no accident may deprive the best work of the school of its due recognition. I think if this instruction is carefully obeyed the alarm of the teachers might prove to be unfounded, and the examination be made a fair and legitimate test. I may add that I greatly rejoice to find that recitation is to be retained as a part of our system. I find, as I go from school to school inquiring into their management and conduct, that there is no subject more popular with the scholars than recitation, and I know of nothing that is likely in the future to be of greater service to them in elevating their minds and improving their taste. If I may be allowed to make one

concluding remark it is that we must not regard education by itself. Elementary education is only part of the general movement for the progress of the working classes of this country. We are doing much to improve their health by sanitary laws, and we are making great endeavours to improve their social condition by creation of public parks, and the making of regulations of a wholesome and beneficial character. Therefore, while I welcome the progress of education, I would point out that that is, after all, but one of the many indications of our national progress, and one of the many means now being taken to advance and improve the condition of our neighbouring population by exertions which I believe to be well worth the efforts made, and by expenditure which, as long as it is wisely directed, will be amply rewarded by the success it will achieve.

(11.25.) MR. MUNDELLA (Sheffield, Brightside): It is unfortunate that the Debate has been crowded into so short a space of time to-night. The Vice President of the Council has given us a very able and exhaustive statement with regard to this Code—a statement which was worthy of a much larger audience. It was characterised by a complete mastery of the subject, and was full of good educational matter from beginning to end. I should not have risen at so late an hour but for the fact that only two Members on this side of the House have had an opportunity of speaking. It is evident that the Debate cannot close to-night, as many Members on both sides desire to discuss the question. I will glance in the briefest manner at the main features of the Code. There can be no doubt that one of its main features is the help which it is intended to give to rural schools. We do not grudge any expenditure on behalf of education, but we wish to point out that a very large sum will be added to the Education Estimates by this Code. I believe we shall be adding 5s. 6d. or 6s. a head to all schools in the country where the population is under 500, and that we shall be giving to the poor town schools an increased grant of at least 1s. 6d. a head, whereas in the case of the better class schools, which are now earning £1 or £1 1s. a head, I do not believe one farthing will be added to

their receipts, whether they are Board schools or voluntary schools. The addition will go to a class of schools which the right hon. Gentleman himself admits to be, to a very large extent, hardly creditable. Indeed, the right hon. Gentleman admits that, unless they improve, a great many of them must be wiped off the annual grant. I wish to call attention to two or three points to which the right hon. Gentleman referred with respect to the extra subjects he proposes to teach in the schools. The right hon. Gentleman admitted that the curriculum in our rural schools is altogether too narrow, and said there must be some extended curriculum to make the school life of the children more attractive. In all that I entirely agree. From the Returns I have before me I find that the whole number of the children so taught would hardly cover half a dozen rural parishes. The right hon. Gentleman said we ought also to extend the teaching of cooking. What are the numbers at present undergoing instruction in cookery? Why, only 60,000 girls are taught out of some 2,000,000 girls in average attendance, and I should like the right hon. Gentleman to consider where that teaching takes place. Has he ever inquired in what schools these girls who are receiving this instruction are to be found? The right hon. Gentleman glories in the 4s. grant, and no doubt it is a very handsome one, and it pays well to teach this branch of education; why, then, is it that there are not more girls taught? I will tell the right hon. Gentleman. I am not going to make any invidious comparison between Board and voluntary schools, but that there is a lack of combination and organisation among the latter is evident from the fact that out of the 60,000 girls now receiving this instruction, 50,000 receive it in Board schools. Last year there were 57,589 girls receiving grants for cookery; and of this number 47,000 and odd were taught in Board schools, and the whole of the balance was spread over the National, Wesleyan, Roman Catholic, and other denominational schools. It is, I think, very much to be regretted that in our large towns, where cookery teaching is given in Board schools, more attention is not paid to it in the voluntary schools, and it seems to me that there ought to

*Mr. Mundella*

be some organisation amongst the managers of voluntary schools by means of which it would be possible to have this kind of instruction and other extra instruction in all of them. As to what the right hon. Gentleman is doing for the small schools, we do not grudge it, nor do we grudge what he is doing for some of the larger ones; but what we say is, that we must have efficient teaching and a wider curriculum, in order that we may have value received for these grants. It is not a question of paying so much money to the managers of voluntary schools in order that they may be recouped the amount of their subscriptions—not that I wish to raise a controversy on this matter, but it is a fact that the amount of subscriptions to the voluntary schools is actually less now than it was 10 years ago. Nearly one-third more children are now being educated in the voluntary schools than were taught 10 years ago, and yet the amount of subscriptions is no larger. In 1875, before the 7s. 6d. limit was extended, 9s. 6d. per head was spent by means of voluntary subscriptions; but last year the amount was only 6s. 11d., the difference being made up by grants and additional fees charged to the children. What we want to impress on the right hon. Gentleman is that the increased munificence of the State should not go to relieve the managers of voluntary schools of their personal liability. What we want is that the children shall have good teaching, and we are entitled to expect it. We deprive the parents of the labour of their children up to a certain age, and as we compel the children to go to school, we ought to take care and secure that they shall be well taught. It is hardly creditable in us, when we compare English schools with Scotch schools, to find at what a disadvantage English children are, though the grants in both cases come from the Public Exchequer. The right hon. Gentleman expressed a belief that the charges made in respect of evening schools would, practically, cover the whole ground of education, but I do not think that what the right hon. Gentleman is doing will make these schools continuation schools where our youth can complete the education supplied in the day schools. With respect to train-

ing schools attention has been drawn to a rather invidious distinction made in the Code between what are called "trained" and "untrained" teachers. I think it is rather an unfortunate distinction to make, and I think that something ought to be done to relieve teachers who are classed as "untrained" from the disabilities attaching to their class. By the Code of 1882 young men who trained in the Universities and young women obtaining certificates in the higher local examinations were invited to teach in the schools; but these teachers, however efficient, however able, will in future receive lower salaries than teachers who come from training colleges. I hope the right hon. Gentleman will try to devise some means of removing that which is rather a disability in this respect. Then, the right hon. Gentleman dealt with the question of our training colleges, and this is where, I think, the Code errs on the side of illiberality. Two hundred students in all the great training colleges in England and Wales are altogether inadequate for the purpose of forming classes. At the great university colleges, such as those of Leeds, Sheffield, and Birmingham, to which grants were paid last year, you could not get classes for the teachers if you were to limit the number to 200. The waste of teachers requires that you should have nearer 2,000 than 200. I do not wish to take up the time of the House any longer, as I know there are other hon. Members who desire to speak—although the discussion will have to be continued over another evening. We are now discussing the New Code, and we have before us the Estimates of the year, and we have a Bill to carry out the provisions of the Code. What I regret is that in bringing in this Bill the right hon. Gentleman has not extended its provisions somewhat further. The right hon. Gentleman has to a limited extent adopted the recommendations of the Royal Commission on Elementary Education, and he has also met some of the recommendations of the Technical Education Commissioners; but why has he not gone somewhat further with respect to the recommendations of the Royal Commission, as to raising the standard of age and extending the school life of the child? We may discuss these educational questions as often as we like; your

grants may be lavish, your Codes excellent, and your teachers may be as excellent as you please; you may make the best and most liberal arrangements for education, but if the child's school life is to end at 10 years of age you are wasting your money. In large towns there are thousands of children who go to full-time labour after the fourth standard. I see the Under Secretary for India (Sir J. Gorst) in his place. The hon. Member took part in the Berlin Conference, and when we see the Papers I expect we shall find that the hon. Gentleman advocated the raising of the age of half-timers, and extending the school life of the child. In many rural districts, especially in the West, the second standard is the half-time standard, and two years ago that was the case in Bradford. Why cannot the right hon. Gentleman screw up his courage and adopt the recommendation of the Royal Commission, and do for England what is done in Scotland? We should have a minimum standard for half-time. I have only risen to express my thanks to the right hon. Gentleman for the liberal provisions of the Code he has launched to-night. We hope that it will have a prosperous voyage. It will not pass without a good deal of criticism when it comes into operation, and a good many people will be disappointed. There will always be payment by results until the localities manage their own schools and their own money. I hope that later on the right hon. Gentleman will be able to announce that he has made some provision for meeting the suggestions which have been made with regard to raising the age at which the school life of the child should end, and raising the full and half-time standards.

\*(11.46.) MR. RANKIN (Herefordshire, Leominster): I must express my regret that the right hon. Gentleman should have inserted the provision in Sub-section 5 of Article 106, which makes it obligatory for any child to have passed Standard V. before he can be presented for examination in the special subjects alone or in less than three elementary subjects in connection with an evening school. I cannot see the object of that provision, as it will prevent a child from getting the advantage of some education who may have been prevented from proper attendance at a day school. If the right hon. Gentleman will not consent to

remove this disqualification altogether, I hope that he will reduce it to Standard IV. It would be very hard for our children who have been passing the Standards under the present Regulations that they should be shut out from studying special subjects, which they could go in for in the evening schools. Some of these special subjects, such as cookery, laundry work, gardening, and wood-working, would produce much happiness in cottage homes, and I think that it ought to be made as easy as possible to take advantage of these studies.

\*(11.50.) MR. JAMES ELLIS (Leicestershire, Bosworth): I desire very briefly to call attention to matters in which representations have been made to Members of this House by numerous deputations of teachers. The first question raised is as to the method of examination in reading lessons, and I think that the Code the right hon. Gentleman has brought in is a very marked advance on anything we have hitherto had in that respect. As Chairman of the School Board of Leicester, and as being concerned in the management of an industrial school at some distance from Leicester, I have had some experience in this matter. The examinations in reading and dictation are better in the industrial than in the Board schools, for, so far as the latter are concerned, the children have been reading from the same book for a long time, and are almost able to repeat the lessons by heart when they come to be examined. It would be an advantage if the children were examined in some other book than that with which they have become familiar. I make these remarks because they have a bearing upon the whole question of new examinations. I approve of the new method of examination, which I believe will lead to an improvement in education. As I understand it, the Inspector is now empowered to see how far general intelligence has spread in a school. That, I believe, is the intention of the Department, and it is the desire of those who are interested in education, and I mention this specially because I think there has been a misapprehension with regard to it on the part of the teachers. The examination is likely to be more interesting for the teachers and

*Mr. Rankin*

better for the scholars, and we shall in future require more highly, rather than less highly, educated men than before. With regard to denominational schools, I am much interested in them, but they ought to be efficient. What we fear is that the increased grants to them will lessen the subscriptions. That was the case when a new scheme for the free school at Bosworth was introduced by the Charity Commissioners. I congratulate the right hon. Gentleman on the immense improvement which this Code presents to anything that has preceded it, and I believe it will lead to a better education being given.

(11.55.) MR. PICTON: I beg to move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Picton.*)

(11.55.) MR. MUNDELLA: I would ask whether, before the Debate comes on again, the right hon. Baronet will let us have the Circulars to which he refers? There are two Circulars of considerable importance, one respecting half-timers.

\*SIR W. HART DYKE: I can promise that the Circulars to which I referred shall be laid upon the Table of the House.

\*(12.0.) MR. J. G. TALBOT (Oxford University): I trust that before the Debate is resumed full notice will be given to the House of the day on which it will be taken, as several members on both sides of the House wish to speak on the Education Question.

\*(12.1.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's Hanover Square): Notice shall, of course, be given, but I trust that short notice will suffice, as it would be a pity to lose any opportunity of going on with the discussion.

Question put, and agreed to.

Committee report Progress; to sit again upon Friday.

MERCHANT SHIPPING ACTS AMENDMENT BILL.—(No. 317.)

Lords Amendments agreed to.

## TREES (IRELAND) BILL.—(No. 70.)

Bill considered in Committee.

(In the Committee.)

## Clause 2.

Amendment proposed, in page 1, line 9, after the word "shall," to insert the words "subjectas hereinafter mentioned."  
—(Mr. Macartney.)

Question proposed, "That those words be there inserted."

Whereupon Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."  
—(Mr. John Kelly.)

Motion, by leave, withdrawn.

Question again proposed, "That those words be there inserted."

And, Objection being taken to further Proceeding, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again upon Thursday.

SLANDER LAW AMENDMENT BILL.—  
(No. 278.)

Bill considered in Committee.

(In the Committee.)

## Clause 1.

Committee report Progress; to sit again upon Wednesday 18th June.

## METROPOLIS MANAGEMENT AMENDMENT ACT (1862) AMENDMENT BILL.

(NO. 223.) SECOND READING.

Order for Second Reading read.

\* (12.10.) MR. T. H. BOLTON (St. Pancras, N.): I have satisfied the hon. Gentlemen opposite who had some objection to this Bill, and I now ask that

it may be read a second time, and referred to a Select Committee.

Motion made, and Question proposed, "That the Bill be now read a second time."—(Mr. T. H. Bolton.)

Mr. HOZIER (Lanarkshire, S.): I object.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG, Wilts, Devizes): May I ask my hon. Friend to withdraw his objection. It is proposed by the hon. Member opposite to refer the Bill to the Select Committee to which another Bill of a similar character has already been referred. It is a good Bill. It proposes to remove a substantial grievance with regard to rating, and it would be a distinct advantage if the Bill were read a second time and referred to the Committee upstairs. That Committee might be able to put the two Bills together, and thus bring about a substantial improvement in the law.

Question put, and agreed to.

Bill read a second time, and committed to the Select Committee on the Metropolis Management and Building Acts Amendment Bill.

## CONVICTS (PENAL SERVITUDE).

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An Amendment to the first of a number of  
Amendments for Instructions to Com-  
mittee, which resembles the Motion  
"That the House do pass to the Orders of

[cont.]



**SPEAKER, The—cont.**

the Day," and by which the House dis-embarrasses itself of matters which it does not wish to pass judgment on, and proceeds to its appointed business, is not out of order.

The new Rule, that the Speaker leave the Chair without Question put, would be robbed altogether of force if a number of Instructions are put down so as to prevent the Speaker leaving the Chair.

A Member cannot be allowed to put down more than one Instruction, as it gives him a greater right of speaking than he has on the Second Reading of the Bill.

When the Instruction itself is out of order it is impossible to move an Amendment to bring in that Instruction *May 2, 19, 22*

**MISCELLANEOUS**

*May 2, 53; May 5, 239, 240; May 8, 477, 482; May 9, 554, 559; May 14, 914; May 15, 937, 964, 965; May 16, 1121, 1181, 1185, 1199, 1209; May 21, 1417, 1421, 1428; May 23, 1695, 1699, 1744, 1748; June 3, 1850, 1885, 1890*

**QUESTIONS**

Asking for an expression of opinion is not within the limits of a Question *May 22, 1581*

**RULES AND ORDER OF DEBATE**

When an Order for the Second Reading of a Bill is opposed it is necessary, in accordance with the Standing Orders, to put it down for the next day! but the 2R. by arrangement can then be deferred *May 20, 1392*

A Member is not entitled to refer in Debate to what takes place in Committee, of which the House has no cognisance when the Speaker is in the Chair *May 20, 1424*

A Member is entirely out of order in referring by anticipation to matters to be dealt with in Bills before the House *May 6, 307, 308*

The Motion for Supply being still before the House after a Division for Adjournment, there is no need for the Government to set up Supply again for the purpose of enabling a Member to speak. Neither is the Speaker bound to call upon a Member when the Motion is an Amendment to the Motion that the Speaker leave the Chair. The Member should rise when the Speaker proclaims "Motion withdrawn, Supply Monday," otherwise the Motion on which the Member's notice gives him the right to speak is withdrawn, and his right disappears.

The Member could have challenged a Division on the Motion that the Speaker leave the Chair, but not on his own Motion.

If a Member had objected to the withdrawal of Supply, the Motion could not have been withdrawn without discussion *May 16, 1207, 1208, 1212*

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